

**LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES**

**BOARD MEETING**

**DECEMBER 1, 1994**

**JOHN F. "JEFF" SCHNEIDER  
CHAIRMAN**

**BATON ROUGE, LOUISIANA**

The following constitute minutes of the Commission Meeting  
and are not a verbatim transcript of the proceedings.

Tapes of the meetings are kept at the  
Louisiana Department of Wildlife and Fisheries

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Baton Rouge, Louisiana 70808

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**AGENDA**  
**LOUISIANA WILDLIFE AND FISHERIES COMMISSION**  
**BATON ROUGE, LOUISIANA**  
**DECEMBER 1, 1994**

	Page
1. Roll Call	1
2. Approval of Minutes of November 3, 1994	1
3. Presentation of Plaque from Fur Resources Committee SEAFWA to Greg Linscombe	1
4. Aircraft Report	1
5. Receive Public Comments and Resolution - WMA Timber Management Plan	2
6. Catfish Task Force - Structure Review and Approval	2
7. Notice of Intent - Eagle Lake, Extend Period of 14" Minimum Size Limit on Black Bass	3
8. Consideration and Possible Declaration of Emergency to Extend 1994 Fall Inshore Shrimp Season	4
9. Report on Grand Terre and Its Activities	5
10. Des Allemands Catfish - Ratification of Recision of October Declaration of Emergency; Declaration of Emergency	7
11. Update on Moratorium	9
12. Civil Restitution/Class 1 Update	11
13. Enforcement Report	12
Update on Moratorium (Continued)	13
14. Secretary's Report to the Commission	14
15. Election of Chairman and Vice-Chairman	15
16. Set April 1995 Meeting Date	15
17. Public Comments	16
18. Adjourn	16

MINUTES OF THE MEETING

OF

LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, December 1, 1994

Chairman Jeff Schneider presiding.

Bert Jones  
Peter Vujnovich  
Jerald Hanchey  
Joseph B. Cormier  
Tee John Mialjevich  
Perry Gisclair

Secretary Joe L. Herring was also present.

Chairman Schneider called for a motion for approval of the November 3, 1994, Commission Minutes. A motion for approval was made by Commissioner Vujnovich and seconded by Commissioner Hanchey. The motion passed unanimously.

Chairman Schneider announced that this would be the last meeting Commissioner Jones would serve as a Wildlife and Fisheries Commission member. He stated it was a pleasure to meet and get to know and work with Commissioner Jones. Then Chairman Schneider read the inscription from two plaques that were presented to Commissioner Jones. Commissioner Jones stated he appreciated the education he received while serving as a member of the Commission. He felt the acquiring of new lands for the benefit of the public was one of the most important things that was done. He hoped the Commission would continue as a resource oriented group for future generations.

A Presentation of Plaque from Fur Resources Committee SEAFWA to Mr. Greg Linscombe was handled by Mr. Joe Herring. The plaque was from the Fur Resources Committee of the Southeastern Section of the Wildlife Society which is an international organization. Mr. Linscombe was being recognized for his dedication and work done for the fur resources for the United States, Canada and Mexico. Mr. Linscombe felt it was a real honor to receive the plaque and accepted it on behalf of the Department and the Louisiana Fur and Alligator Advisory Council.

The October Aircraft Report was presented by Mr. Lee Caubarreaux. This report showed four pilots flew a total of 35.2 hours for the month, along with the breakdown for the different planes, the estimated cost, the actual cost and the Commission's method. The individual flight logs were also listed in the report.

The next item was Public Comments and a Resolution on the **WMA Timber Management Plan** and was handled by Mr. Bob Love. Mr. Love reminded the members of the decision made at the last meeting to allow public comments on the management plan. Only two comments had been received; one from the Louisiana Wildlife Federation and the other from The Nature Conservancy. Mr. Love felt more comments would be received soon and then asked the Commission what direction they wanted him to take. Commissioner Jones complimented the work on the plan but knew there was a need to continue refining and developing an integrated forestry plan that would be beneficial to the state.

Mr. Randy Lanctot, Louisiana Wildlife Federation, said he appreciated the position the Commission took in delaying any action on the plan until the best possible plan was developed. Commissioner Jones reiterated there was a need to make the plan the best that could be made. Mr. Lanctot noted the cooperation of the Commission and the Department's staff in working with the Federation on this plan. Commissioner Mialjevich asked Mr. Lanctot if the Department was working with him on his comments he submitted. Chairman Schneider felt the Commission and Department should meet with top consulting forestry firms in order to make the plan right.

**Catfish Task Force - Structure Review and Approval** was presented by Mr. Bennie Fontenot. Mr. Fontenot stated there was a need for various representatives that are affected by the harvest of catfish to be on the Task Force. Mr. Fontenot explained the composition of the task force, the voting members and the advisory group. Commissioner Mialjevich asked how would the six commercial fishermen be nominated? Mr. Fontenot stated a letter would be sent to the various freshwater commercial catfish organizations asking for their recommendations to serve on the Task Force. From the list of nominations, the Department would compile a list of recommendations and present it to the Commission for their approval. Chairman Schneider stated the Task Force should operate by consensus, which means all decisions are approved by everyone on the Task Force. Then he asked if the Commission would again be able to study the list of potential members? Mr. Fontenot then asked the Commission to explain what the mission of the Task Force should be? Commissioner Mialjevich explained how he felt the balance of the fishermen should be comprised of three commercial catfishermen for the 8 inch catfish and three opposed. Then he asked why were there recreational fishermen and a net dealer on the Task Force to settle a commercial issue. Chairman Schneider felt the problems could be handled with a mission statement and by consensus. He also encouraged the Commissioners to take some time to look at the list of members and then bring it back for further action at the next meeting. Commissioner Mialjevich asked if the Commission would have the final decision on the members for the Task Force. Secretary Herring asked, if no action was taken, would

it delay forming of the Task Force for another month? Commissioner Gisclair felt an 18 member Task Force was a large group.

A Notice of Intent on Eagle Lake, Extend Period of 14" Minimum Size Limit on Black Bass was presented by Mr. Arthur Williams. The request was to extend the period for the 14 inch minimum size on black bass for Eagle Lake in Madison Parish for another year. The lake is a border lake between Louisiana and Mississippi approximately 20 miles north of Vicksburg, Mississippi. The Mississippi Department of Wildlife, Fisheries and Parks was doing extensive bass management and requested the extension because of reduced recruitment. Commissioner Jones asked if this was an emergency request. Chairman Schneider asked Mr. Williams to read the Notice of Intent. He then asked if there were any public comments. Hearing no public comments, the Notice of Intent was unanimously approved by the Commission.

(The full text of the Notice of Intent is made a part of the record.)

#### NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission hereby advertises its intent to amend the following rule on black bass (Micropterus spp.) on Eagle Lake located east of the Mississippi River in Madison Parish, Louisiana.

#### Title 76

#### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

#### Chapter 1. Freshwater Sport and Commercial Fishing

#### §169. Black Bass Regulations, Eagle Lake

The size regulation for black bass (Micropterus spp.) on Eagle Lake located east of the Mississippi River in Madison Parish, Louisiana is as follows:

It shall be unlawful to take or possess, while on the water or while fishing in the water, black bass less than 14 inches total length on Eagle Lake, located east of the Mississippi River in Madison Parish, Louisiana. This rule will expire at midnight, April 2, 1996.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), 325(C), 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 19:909 (July 1993); amended LR .

Interested persons may submit written comments of the amended rule to Bennie Fontenot, Administrator, Inland Fish Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Wednesday, February 1, 1995.

John F. "Jeff" Schneider  
Chairman

Mr. Brandt Savoie handled a Consideration and Possible Declaration of Emergency to Extend the 1994 Fall Inshore Shrimp Season. The extension was for the shrimp season in Zone 1 only. A letter from Mr. Mike Trosclair, representing fishermen from St. Bernard Parish, was presented to the Commissioners. There are reported large numbers of white shrimp in Lake Pontchartrain, Lake Borgne, Breton and Chandeleur Sounds. The Declaration of Emergency would extend the season through January 1995. Commissioner Mialjevich asked the condition for Zones 2 and 3, if the 100 count law was in effect and when would it go into effect, and at what temperature do the shrimp stop growing? He asked if the open waters would continue into the Gulf, and if the Department received any comments on this extension? Then Commissioner Mialjevich asked that a geographic area where the pink shrimp are catchable be presented at the next meeting. Chairman Schneider asked Mr. Don Puckett to address the Declaration of Emergency for accuracy. Mr. Puckett advised the Commission had the authority to use emergency procedures to set shrimp seasons. Chairman Schneider asked for public comments.

Mr. George Barasich, United Commercial Fishermen's Association, stated there was a good crop of white shrimp left that were between 60-70 in size and some 16-20 white shrimp in Lake Pontchartrain and requested the season be extended for Zone 1. Commissioner Mialjevich asked if there was any benefit to close the season from the beach out to Bird Island, Main Pass, Pass-a-Loutre area.

Mr. Mike Trosclair, a commercial shrimper, stated the shrimp season was set in zones so it could be managed by zones according to the harvestable shrimp in each area. He then explained the different size shrimp that he was catching and felt it would be an injustice to close the season around the 20th of December. After asking for the extension, Mr. Trosclair expressed his appreciation to Commissioner Jones for serving on the Commission. Commissioner Vujnovich asked Mr. Trosclair if he stated the brown shrimp season was open too late in Zone 1? Commissioner Mialjevich asked if the

marsh area and the Breton Sound area were two different systems as far as the size of shrimp was concerned.

Mr. Barry Schaferkotter, Lake Pontchartrain Fisherman's Association, requested the Commission leave the season open for at least two weeks or longer if it would not hurt another resource.

Chairman Schneider asked Mr. Savoie to read the Declaration of Emergency. Commissioner Mialjevich made a motion to accept the Declaration of Emergency and was seconded by Commissioner Vujnovich. The motion passed with no opposition.

(The full text of the Declaration of Emergency is made a part of the record.)

#### DECLARATION OF EMERGENCY

##### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) and R.S. 49:967 of the Administrative Procedure Act which allows the Wildlife and Fisheries Commission to use emergency procedures to set shrimp seasons and R.S. 56:497 which provides that the Wildlife and Fisheries Commission shall fix no less than two open seasons each year for all inside waters and shall have the authority to open or close outside waters, the Wildlife and Fisheries Commission does hereby extend the 1994 Fall Inshore Shrimp Season in all the waters of Zone 1. The Commission does also hereby set the closure of Zone 1 to be 12:01 a.m. February 1, 1995.

Zone 1 is that portion of Louisiana's inshore waters from the Mississippi State Line westward to the eastern shore of South Pass of the Mississippi River.

The Commission also hereby grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing date in Zone 1 or set any special seasons if biological and technical data indicate the need to do so or if enforcement problems develop.

John F. "Jeff" Schneider  
Chairman

Mr. Corky Perret began his Report on Grand Terre and Its Activities by thanking Commissioner Jones for his time served on the Commission. Mr. Perret provided information requested on the lab and then introduced Mr. Claude Boudreaux, Lab Supervisor, to the Commission. Commissioner Jones asked, how was the lab doing since it was re-opened during this administration? Mr. Perret



stated it was doing fine but there was always room for improvement. Commissioner Jones asked when exactly did the Lab re-open? Mr. Perret read from Title 56:611 on the establishment of the lab and then informed there were three technical personnel and six support personnel on staff. Commissioner Jones asked if the on-going projects were the hook and release mortality and age and growth projects and if \$400,000 was spent on the catch and release study? Chairman Schneider asked when would the catch and release study be finished and when would a report be provided? Commissioner Jones asked how the Department prioritized the finfish dollars with the research programs and does the Department need to keep re-studying fish that we already have factual information on? Then he asked, how much does it cost to maintain and operate the Lab for a year and how much comes from the Finfish and Wallop-Breaux funds? Mr. Boudreaux stated approximately \$350,000 came from the Conservation Fund and the other \$150,000 came from Federal Funds. Mr. Perret, at this point, explained some of the future projects the Department wanted to address. Commissioner Vujnovich explained a project on the production of oysters and felt it was better to have too much information than not enough information. Commissioner Jones asked if the federal monies for the oyster project was within the total operating budget for the lab? Chairman Schneider asked if the age and growth study was an on-going project and would there ever be a report given on this study? Mr. John Roussel stated the information from this study was given every time a stock assessment report was given. Chairman Schneider asked if funds were received from the different groups that use the facilities? Commissioner Mialjevich asked Mr. Perret, when he talked to the federal people about turtles, would he argue for money to do necropsy on the turtles? Then he asked what happened to the funds that were available for turtle strandings? Commissioner Jones asked if 70 percent of the budget for the lab was from finfish dedicated funds and was 70 percent of the work done at the lab on finfish? Commissioner Mialjevich asked if Enforcement was included in finfish work? Commissioner Jones asked that projects be prioritized more toward new and innovative things instead of repeating research projects we already know the results of. Mr. Perret welcomed any suggestions on activities that should be addressed that were not being addressed. Commissioner Mialjevich asked what type of netting was used on the commercial netting mortality study of spotted seatrout and red drum. Commissioner Jones thanked Mr. Perret for the report and then encouraged the recreational fishermen to let the Department know what their needs are in finfish research. He also suggested quarterly reports to the Commission on activities at the lab.

Chairman Schneider asked for an update on the fisheries management plans in the near future. He then asked for a copy of any reports on the economic impact of red and black drum. Commissioner Jones asked if there were economic impact studies on these fish? Mr. Farhad Niami stated an economic impact analysis on black drum was conducted and submitted to the Office of Fisheries.

Also, there has been some draft analysis done on the red drum fishery. Chairman Schneider asked if any analysis had been done on trout or flounder? Commissioner Jones asked if there was an economic impact study on redbfish? Chairman Schneider asked if any studies on economic impact had been done on mullet and again requested copies of any economic impact studies that may be available.

**Des Allemands Catfish - Ratification of Recision of October Declaration of Emergency;** Declaration of Emergency was handled by Mr. Don Puckett. This information was being presented as a result of questions from Commissioner Mialjevich after the action taken at the November Commission Meeting. He then stated this action would confirm and ratify what occurred at that meeting. Commissioner Mialjevich explained the public was not given advance notice on what the Commission was doing. Then he asked if enough notice was given this time. Mr. Puckett advised the agenda was sent out according to law. Commissioner Mialjevich asked what did the publication of the agenda include and were all the bases covered this time. Mr. Puckett suggested the Commission move to approve the Resolution and Declaration of Emergency. Chairman Schneider requested Mr. Puckett read the Resolution. Commissioner Jones asked if the resolution from the last meeting could be read as well? Mr. Puckett stated this resolution incorporated the resolution from the November meeting. Commissioner Mialjevich asked, how could the permit fee be returned to some fishermen that had applied for the permit? Mr. Puckett read the December Resolution for the record. Commissioner Mialjevich made a motion to accept the Resolution and was seconded by Commissioner Vujnovich. The motion passed with no opposition.

(The full text of the Resolution and Declaration of Emergency is made a part of the record.)

#### **RESOLUTION**

#### **WILDLIFE AND FISHERIES COMMISSION DEPARTMENT OF WILDLIFE AND FISHERIES**

December 1, 1994

**WHEREAS,** the Commission, at its regular meeting of October 6, 1994 voted upon and passed a Declaration of Emergency and accompanying Resolution and Emergency Rule reducing the size limit for the take of channel catfish and establishing a paid permit system to allow the take of channel catfish between 8" and 11" by permittees within the specified area, and;

**WHEREAS,** it has been brought to the attention of the Commission that the Declaration of Emergency it passed was defective

in that facts sufficient to establish an emergency within the meaning of La. R.S. 49:953(B), were not established, and;

WHEREAS, it has further been brought to the attention of the Commission that no statutory basis exists for the establishment of a paid permit system for the taking of catfish under the 11" minimum size proscribed by statute, and;

WHEREAS, it has been brought to the attention of the Commission that the Joint House and Senate Natural Resources Committee having oversight power over Commission action has found that the Declaration of Emergency previously enacted by the Commission is without basis and that no statutory basis exists for the paid permit system established by the Resolution and Emergency Rule and has requested that the Commission revoke and rescind the previous actions, and;

WHEREAS, at its November 3, 1994 meeting, the Commission by resolution revoked and repealed the October 6 Declaration of Emergency, and;

WHEREAS, subsequently, legal questions have been raised concerning the validity of that action; and counsel has recommended that further action is advisable to resolve these questions.

NOW, THEREFORE BE IT RESOLVED, this Commission does hereby ratify its November action, revoking and repealing the October 6 Declaration of Emergency, and further toward that same end hereby passes and approves the attached Declaration of Emergency.

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John F. "Jeff" Schneider  
Chairman, La. Wildlife &  
Fisheries Commission

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Joe L. Herring  
Secretary, La. Department of  
Wildlife and Fisheries

#### DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act, the Wildlife and Fisheries Commission hereby finds that an imminent peril to the public welfare exists and accordingly adopts the following emergency rule:

The Declaration of Emergency promulgated by the Wildlife and Fisheries Commission on October 6, 1994, and published in the

Louisiana Register on October 20, 1994 at page 1091-1092, Vol. 20, No. 10 is hereby repealed, rescinded and annulled. The effect of this repeal is to repeal the permitted taking of channel catfish under 11 inches and to reestablish the statutorily set size limit of 11 inches for channel catfish.

At its November 2, 1994 Legislative Oversight meeting, the Joint House and Senate Natural Resources Committee found certain statutory deficiencies in the October 6 Declaration of Emergency and went on record officially asking the Commission to immediately rescind it. This Declaration of Emergency is necessary to accomplish that action and remove any statutory deficiencies that may have occurred with the promulgation of the October 6 Declaration of Emergency.

John F. "Jeff" Schneider  
Chairman

Chairman Schneider asked Mr. Don Puckett for an **Update on Moratorium** issue. Mr. Puckett stated he was requested by Secretary Herring to find out if the Commission has the authority to implement a moratorium on issuance of specific gear licenses. In his opinion, he stated the Commission did not have that authority. Commissioner Mialjevich wondered, where in the law book did it state this opinion? Mr. Puckett stated the Commission was the constitutional body to manage and conserve wildlife but it was to be done in accordance with statutorily passed laws. Commissioner Mialjevich felt he needed further verification on Mr. Puckett's opinion.

Representative Ken Odinet stated he received numerous communications from recreational and commercial fishermen about the possible onslaught of fishermen coming into Louisiana. He asked the attorney for the Natural Resources Committee to see if there was a possibility to avert the onslaught. Representative Odinet cited the sections and statutes that gave the Commission the authority and then requested the Commission to pass a Resolution that would limit the issuance of a license on the condition that the licensee must have obtained a license in the last three years. He believed that the Commission did have the authority, both constitutionally and statutorily. From the cost standpoint alone, Representative Odinet felt it the Commission's duty to pass a Resolution to limit or condition the issuance of new licenses. Commissioner Mialjevich asked Representative Odinet to read over a draft Declaration of Emergency to see if it met with his approval.

Commissioner Jones stated he had a copy of a memorandum from Attorney Ben Bradford with the Senate Natural Resources Committee that said the Commission was exceeding its authority by proposing a moratorium restricting the sale of gill net licenses for the purpose of excluding out-of-state fishermen. Representative Odinet stated the Commission was not limiting anyone, the Commission was

just performing a duty they are statutorily required to do. If fishermen from out-of-state or those in Louisiana sue because of the moratorium, that was an issue the courts would have to resolve, stated Representative Odinet. Chairman Schneider asked Secretary Herring to get an opinion from the Attorney General. Commissioner Gisclair stated that route would take too long before receiving an opinion. Chairman Schneider stated the Attorney General would be the answer to the question, but noted he would entertain any action the Commission may have.

Representative Frank Patti stated one problem was, there were two opinions already and they were now asking for another opinion from the Attorney General. He felt the Commission should pass a Resolution pending the Attorney General's opinion. Representative Patti was attending the Commission meeting representing the state, not just the commercial fishermen. He felt action should be taken immediately instead of waiting until the Legislature convened in March 1995. Commissioner Jones stated the merits of each issue should stay with each issue and asked Representative Patti if his statement about sitting on the Budget Committee was a threat. Representative Patti stated he was trying to show how he has always worked for the good of the Commission and the Department.

Chairman Schneider stated the Commission received an opinion from Mr. Don Puckett and wondered where they would be if they did not follow his opinion. With that being stated, Commissioner Mialjevich noted Mr. Puckett knew the Declaration of Emergency passed at the October Meeting was illegal and did not stop the Commission. Mr. Puckett reminded Commissioner Mialjevich how he made several comments during the discussion such as imminent peril and statutory basis for the permits.

Mr. Craig Wyman, Louisiana Seafood Management Council, stated, in his opinion, the moratorium was within the authority of the Commission and was a relatively conservative action. Mr. Wyman cited several sections that gave the Commission the authority to act and urged them to do so.

Mr. George Barasich felt the Commission wanted to make sure the GCCA was successful in banning nets from Louisiana waters. He requested the Commission work jointly with the commercial fishermen to manage and utilize the resources which each user group was entitled to.

Mr. Karl Turner, Louisiana Seafood Marketing Board, stated the motive behind the moratorium was not to keep non-residents out of Louisiana, but to provide better protection for the resources. This would also provide for better enforcement and better conservation of the resources.

Mr. Randy Lanctot, Louisiana Wildlife Federation, stated a moratorium was the first step in developing a limited entry system and the Federation supported such a step.

Commissioner Vujnovich reminded everyone of a moratorium on weekend gill netting and stated he was willing to stick his neck out to stop the invasion of gill nets. He requested putting a moratorium not just on commercial fishermen, but also on the recreational fishermen.

Mr. Barry Schaferkotter, a commercial fishermen, stated it was time to put the moratorium on not only to help the fishermen with their livelihoods but also to better the industry and make sure there is enough resource to go around. He thanked Mr. Lanctot for backing the moratorium.

Mr. Sal Piazza, Chairman of the Louisiana Seafood Management Council, urged the Commission to take a chance and pass the moratorium.

Commissioner Jones asked the Department's position on the moratorium issue. Secretary Herring began by noting his disappointment in statements made about a Department employee. If an issue to be decided would benefit his family, Secretary Herring stated he would be willing to vote for that issue even if the legal issue was not clear. Then he stated his recommendation was to pass something now until the legislature convened. Chairman Schneider asked Mr. Puckett if he looked at the resolution and if the resolution addressed how temporary this could be until the legislature convened? Mr. Puckett advised he sent his Resolution out to the staff for their comments and another Resolution was drafted by the Marine Fisheries Division. Chairman Schneider asked if the rules would have to be suspended in order to vote on the resolution with the agenda item worded as Update on Moratorium? Mr. Puckett stated in order for the Commission to impose a moratorium, a two-thirds vote would be needed to add this to the agenda. Commissioner Jones asked for clarification on the resolution and if the ceiling on commercial gear licenses was established with the resolution. Mr. Puckett advised the only people eligible would be those applying for a renewal license. Chairman Schneider asked Mr. Puckett to review both resolutions and then the Commission would return to this item.

Civil Restitution and Class 1 Update for the months of October and November was provided by Mrs. Wynnette Kees. During October and November, 137 cases were assessed for a value of \$121,018 and payment was received on 83 cases which totaled \$12,896. The major computer changes have been completed and the remainder would be finished over the next two to four weeks. Commissioner Mialjevich asked if the confiscated goods already in the Department's possession would be listed on the computer, or just the items confiscated in the future. Commissioner Vujnovich stated a judge

from New Orleans was ordering violators to contribute \$10,000 to a program that benefits the children of New Orleans. Commissioner Mialjevich stated Commissioner Vujnovich was saying when a judge handed down a \$20,000 fine, \$10,000 would go to a New Orleans program and \$10,000 to the Department and then asked if the Department knew about this procedure. Col. Winton Vidrine stated there was a judge from New Orleans that sentenced violators to make payment to the Department for whatever the violation was. Commissioner Mialjevich asked if a report could be obtained on this special fund these fines were being placed into.

The Monthly Law Enforcement Report for November was given by Col. Winton Vidrine. The following numbers of citations were issued during the month of November.

Region I - Minden - 52 citations.

Region II - Monroe - 69 citations.

Region III - Alexandria - 137 citations.

Region IV - Ferriday - 86 citations.

Region V - Lake Charles - 135 citations. Commissioner Mialjevich asked if the Department had state regulations on spanish mackerel.

Region VI - Opelousas - 115 citations.

Region VII - Baton Rouge - 139 citations.

Region VIII - New Orleans - 166 citations.

Region IX - Thibodaux - 169 citations.

Statewide Strike Force - 55 citations.

Offshore Boats (SWEP) - 18 citations.

Oyster Strike Force - 64 citations.

The grand total of citations issued statewide for the month of November was 1,066. Col. Vidrine stated he sent agents to check mullet fishermen and have not found one speckled trout or redfish on their trucks or boats. Commissioner Mialjevich asked what was the possibility of boats catching truckloads of speckled trout and redfish. Col. Vidrine stated his appreciation to Commissioner Jones from the Enforcement Division. Commissioner Mialjevich asked for a copy of the violations issued on freshwater catfish issues and referred Col. Vidrine to his original request from October 1994.

Commissioner Jones stated he received a copy of a letter written by Commissioner Mialjevich on the attitude of the Enforcement Division and asked Commissioner Mialjevich what he meant. Commissioner Mialjevich stated at the time he came on the Commission, he asked for a better working relationship between enforcement and the public but that he was still getting complaints. Col. Vidrine assured Commissioner Mialjevich that each and every complaint turned into the Department was investigated and reported on. Commissioner Jones felt the agents and the Department were friends for the public and stewards of the resources of the state. Lt. Col. Charlie Clark remarked the agents' actions are dictated to them from the laws and criminal proceedings and from the Department.

Mr. George Barasich, a commercial fishermen who has been checked often stated he has been treated with the utmost respect and with contempt. He then stated the relationship with the agents has gotten better as time goes on.

Chairman Schneider then returned the meeting to the agenda item **Update on Moratorium**. Mr. Don Puckett provided each member with a copy of a resolution prepared by the Marine Fisheries Division. Commissioner Mialjevich stated the second resolution did incorporate what was in the original draft and was a very comprehensive document. Chairman Schneider asked Mr. Puckett if he read the resolution. Mr. Puckett advised the Commission they would need to discuss issues on who would or would not be eligible before passing the resolution. Chairman Schneider asked if the Commission has the authority to pass the resolution. Mr. Puckett stated, in his opinion, the Commission does not have the authority to pass the moratorium resolution. Mr. John Roussel explained the basic differences between the original resolution and the Marine Fisheries' resolution. Commissioner Mialjevich asked, when did the 1995 licenses start being sold? Commissioner Jones asked how many out-of-state license have been sold? Commissioner Cormier stated to Commissioner Mialjevich that he was the one that made a motion to wait until the November meeting before acting upon a resolution at the October meeting in order for Mr. Puckett to check and make sure the law was being followed. Then Commissioner Cormier asked Mr. Puckett if he has had time to research the moratorium issue and if some other form of action could be taken until such time that factual data could be obtained. Commissioner Gisclair asked Mr. Puckett if he looked at the moratorium issue from the point of managing the resources. He then stated the resources of the state could not stand an influx of fishermen, whether from resident or non-resident fishermen. Commissioner Gisclair then suggested passing the resolution and then letting the legislature pass a permanent rule to rectify the problem. Commissioner Mialjevich reminded everyone the two legislators that spoke on the issue were on the Oversight Committee and would not be making their recommendations if they felt it was wrong. Chairman Schneider then stated a two-thirds majority was needed to put the item on the



agenda. Commissioner Gisclair made a motion and was seconded by Commissioner Vujnovich. The motion failed with a vote of three votes for the motion and four against. Commissioner Jones requested the Department seek an opinion from the Attorney General's Office that would direct the Commission in their role on the issue. Chairman Schneider asked Secretary Herring to get the opinion before the next Commission meeting. Then Commissioner Gisclair asked that the request to the Attorney General be specific as it relates to the second resolution; if the Commission has the authority and powers for the moratorium; and to put the item on the next Commission agenda to know if a response has been received.

The Secretary's Report to the Commission was given by Secretary Herring. He reminded everyone of the November Commission Meeting held in Woodworth, the dedication of the Wildlife Educational Center and the renovation and ground breaking for the fish hatcheries. Secretary Herring felt it was one of the biggest days for the Department.

Secretary Herring then stated he has received numerous complaints about fishermen carrying speckled trout and redfish out of the state and that he sent agents down to the area mentioned to check out the stories. He felt a lot of these stories were untrue. Another complaint received was on out-of-state fishermen buying resident fishing licenses. These complaints were also investigated by the enforcement agents.

A meeting was held at the Marine Lab with the menhaden people receiving reports from the staff. Secretary Herring hopes to get the lab in good condition and hoped it would stay in that same shape in the future.

Mr. Brandt Savoie was placed in charge of the sea turtles, which included receiving telephone calls and information on the turtle.

Staff from the Wildlife Division met with the National Group of Ducks Unlimited on proposed projects that would be funded not only by DU but also the North American Waterfowl Management Plan. The Yakey WMA property was reviewed during the meeting so possible funds could be obtained.

Mr. Bennie Fontenot and Secretary Herring attended a meeting with Mississippi representatives to discuss Eagle Lake and other problems that were going on with border lakes.

The Aquatic Plant Section sprayed or treated 2,394 acres of vegetation and 9,571 acres have been sprayed by aerial application for the year.

Two rigs were placed in the western part of state as an artificial reef during the month. The Recreational Fishing Board

met and their main concern and strategies for the future were looked into.

Secretary Herring then stated Dr. Ruth Elsey and Mr. Noel Kinler, from the Fur & Refuge Division, attended the International Union for the Conservation of Nature (IUCN) meeting. At the meeting, the Louisiana alligator procedures were adopted for all species worldwide. The International Association of Fish and Wildlife Agencies asked Mr. Johnnie Tarver to attend a CITES meeting.

The Natural Heritage program was working on a new publication, "Backyard Habit". It would pertain to wildlife in the cities and Secretary Herring felt it was going to be a popular publication.

The Information & Education Division held a total of 44 different classes with 2,412 students in attendance.

A lot of time during November was spent by the Division Administrators and Assistant Administrators preparing the budgets and getting it submitted to the legislature.

Secretary Herring then asked Mr. Hugh Bateman to provide a report on the hunting seasons. Mr. Bateman reported the first split of the duck season was unusual with certain spots having excellent results and other parts of the state having poor to awful results. Catahoula Lake was very good this year as has been in the past. It was predicted the second half of the season would be better with more birds coming into the state. The deer season has been good across the state. Hunting participation was down a little but hunting success was good. Continued success was anticipated for the rest of the deer season. Mr. Bateman then expressed his appreciation on behalf of the Wildlife Division to Commissioner Jones for his help over the past years.

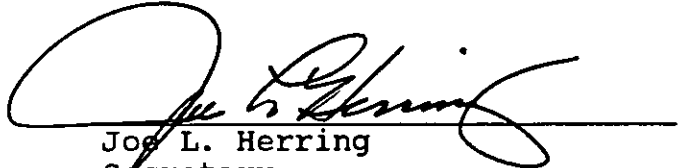
Election of Chairman and Vice-Chairman began with Chairman Schneider stating the floor was open for nominations. Commissioner Gisclair made a nomination of Commissioner Vujnovich for Chairman. Commissioner Jones made a substitute nomination that Chairman Schneider remain Chairman and Commissioner Cormier remain Vice-Chairman. Chairman Schneider then called for a motion to close the nominations. Commissioner Cormier made the motion to close nominations and was seconded by Commissioner Hanchey. The vote on the substitute motion passed with Chairman Schneider, Commissioner Jones, Commissioner Hanchey and Commissioner Cormier voting for the motion and Commissioner Vujnovich, Commissioner Mialjevich and Commissioner Gisclair voting against it.

The Commissioners voted to hold the April 1995 Meeting on Thursday, April 6, 1995 in the Baton Rouge office, beginning at 10:00 a.m. Mr. Corky Perret asked for guidance with the May Commission meeting which also included the shrimp meeting and is

traditionally held in New Orleans. Problems have arisen in locating a facility in New Orleans, but Nicholls State University has offered one of their halls for the meeting. The Commissioners agreed on the offer from Nicholls.

Chairman Schneider asked for Public Comments and none were heard.

There being no further business, Commissioner Gisclair made a motion to Adjourn the meeting and was approved by all.



Joe L. Herring  
Secretary

JLH:sch

*Draft*  
*Corrections made*  
*12/20/94 - sch*

MINUTES OF THE MEETING  
OF  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION

Thursday, December 1, 1994

Chairman Jeff Schneider presiding.

Bert Jones  
Peter Vujnovich  
Jerald Hanchey  
Joseph B. Cormier  
Tee John Mialjevich  
Perry Gisclair

Secretary Joe L. Herring was also present.

Chairman Schneider called for a motion for approval of the **November 3, 1994, Commission Minutes**. A motion for approval was made by Commissioner Vujnovich and seconded by Commissioner Hanchey. The motion passed unanimously.

Chairman Schneider announced that this would be the last meeting Commissioner Jones would serve as a Wildlife and Fisheries Commission member. He stated it was a pleasure to meet and get to know and work with Commissioner Jones. Then Chairman Schneider read the inscription from two plaques that were presented to Commissioner Jones. Commissioner Jones stated he appreciated the education he received while serving as a member of the Commission. He felt the acquiring of new lands for the benefit of the public was one of the most important things that was done. He hoped the Commission would continue as a resource oriented group for future generations.

A Presentation of Plaque from Fur Resources Committee SEAFWA to Mr. Greg Linscombe was handled by Mr. Joe Herring. The plaque was from the Fur Resources Committee of the Southeastern Section of the Wildlife Society which is an international organization. Mr. Linscombe was being recognized for his dedication and work done ~~on~~ <sup>for</sup> the fur resources for the United States, Canada and Mexico. Mr. Linscombe felt it was a real honor to receive the plaque and accepted it on behalf of the Department and the Louisiana Fur and Alligator Advisory Council.

The October **Aircraft Report** was presented by Mr. Lee Caubarreaux. This report showed four pilots flew a total of 35.2 hours for the month, along with the breakdown for the different planes, the estimated cost, the actual cost and the Commission's method. The individual flight logs were also listed in the report.

The next item was Public Comments and a Resolution on the **WMA Timber Management Plan** and was handled by Mr. Bob Love. Mr. Love reminded the members of the decision made at the last meeting to allow public comments on the management plan. Only two comments had been received; one from the Louisiana Wildlife Federation and the other from The Nature Conservancy. Mr. Love felt more comments would be received soon and then asked the Commission what direction they wanted him to take. Commissioner Jones complimented the work on the plan but knew there was a need to continue refining and developing an integrated forestry plan that would be beneficial to the state.

*Noted* Mr. Randy Lanctot, Louisiana Wildlife Federation, <sup>said he</sup> appreciated the position the Commission took in delaying any action on the plan until the best possible plan was developed. Commissioner Jones reiterated there was a need to make the plan the best that could be made. ~~Mr. Lanctot appreciated~~ the cooperation of the Commission and the Department's staff in working with the Federation on this plan. Commissioner Mialjevich asked Mr. Lanctot if the Department was working with him on his comments he submitted. Chairman Schneider felt the Commission and Department should meet with top consulting forestry firms in order to make the plan right.

**Catfish Task Force - Structure Review and Approval** was presented by Mr. Bennie Fontenot. Mr. Fontenot stated there was a need for various representatives that are affected by the harvest of catfish to be on the Task Force. Mr. Fontenot explained the composition of the task force, the voting members and the advisory group. Commissioner Mialjevich asked how would the six commercial fishermen be nominated? Mr. Fontenot stated a letter would be sent to the various freshwater commercial catfish organizations asking for their recommendations to serve on the Task Force. From the list of nominations, the Department would compile a list of recommendations and present it to the Commission for their approval. Chairman Schneider stated the Task Force should operate by consensus, which means all decisions are approved by everyone on the Task Force. Then he asked if the Commission would again be able to study the list of potential members? Mr. Fontenot then asked the Commission to explain what the mission of the Task Force should be? Commissioner Mialjevich explained how he felt the balance of the fishermen should be comprised of three commercial catfishermen for the 8 inch catfish and three opposed. Then he asked why were there recreational fishermen and a net dealer on the Task Force to settle a commercial issue? Chairman Schneider felt the problems could be handled with a mission statement and by consensus. He also encouraged the Commissioners to take some time to look at the list of members and then bring it back for further action at the next meeting. Commissioner Mialjevich asked if the Commission would have the final decision on the members for the Task Force. Secretary Herring asked if no action was taken, would it delay forming of the Task Force for another month? Commissioner Gisclair felt an 18 member Task Force was a large group.

A Notice of Intent on Eagle Lake, Extend Period of 14" Minimum Size Limit on Black Bass was presented by Mr. Arthur Williams. The request was to extend the period for the 14 inch minimum size on black bass for Eagle Lake in Madison Parish for another year. The lake is a border lake between Louisiana and Mississippi approximately 20 miles north of Vicksburg, Mississippi. The Mississippi Department of Wildlife, Fisheries and Parks was doing extensive bass management and requested the extension because of reduced recruitment. Commissioner Jones asked if this was an emergency request. Chairman Schneider asked Mr. Williams to read the Notice of Intent. He then asked if there were any public comments. Hearing no public comments, the Notice of Intent was unanimously approved by the Commission.

(The full text of the Notice of Intent is made a part of the record.)

#### NOTICE OF INTENT

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

The Louisiana Wildlife and Fisheries Commission hereby advertises its intent to amend the following rule on black bass (Micropterus spp.) on Eagle Lake located east of the Mississippi River in Madison Parish, Louisiana.

#### Title 76

#### WILDLIFE AND FISHERIES

#### Part VII. Fish and Other Aquatic Life

#### Chapter 1. Freshwater Sport and Commercial Fishing

#### §169. Black Bass Regulations, Eagle Lake

The size regulation for black bass (Micropterus spp.) on Eagle Lake located east of the Mississippi River in Madison Parish, Louisiana is as follows:

It shall be unlawful to take or possess, while on the water or while fishing in the water, black bass less than 14 inches total length on Eagle Lake, located east of the Mississippi River in Madison Parish, Louisiana. This rule will expire at midnight, April 2, 1996.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), 325(C), 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 19:909 (July 1993); amended LR .

Interested persons may submit written comments of the amended rule to Bennie Fontenot, Administrator, Inland Fish Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Wednesday, February 1, 1995.

John F. "Jeff" Schneider  
Chairman

Mr. Brandt Savoie handled a Consideration and Possible Declaration of Emergency to **Extend the 1994 Fall Inshore Shrimp Season**. The extension was for the shrimp season in Zone 1 only. A letter from Mr. Mike Trosclair, representing fishermen from St. Bernard Parish, was presented to the Commissioners. There are reported large numbers of white shrimp in Lake Pontchartrain, Lake Borgne, Breton and Chandeleur Sounds. The Declaration of Emergency would extend the season through January 1995. Commissioner Mialjevich asked the condition for Zones 2 and 3, if the 100 count law was in effect and when would it go into effect, and what temperature does the shrimp stop growing? ~~Going on~~ he asked if the open waters would continue into the Gulf, and if the Department received any comments on this extension? Then Commissioner Mialjevich asked ~~for~~ <sup>that</sup> a geographic area where the pink shrimp are catchable be presented at the next meeting. Chairman Schneider asked Mr. Don Puckett to address the Declaration of Emergency for accuracy. Mr. Puckett advised the Commission had the authority to use emergency procedures to set shrimp seasons. Chairman Schneider asked for public comments.

Mr. George Barasich, United Commercial Fishermen's Association, stated there was a good crop of white shrimp left that were between 60-70 in size and some 16-20 white shrimp in Lake Pontchartrain and requested the season be extended for Zone 1. Commissioner Mialjevich asked if there was any benefit to close the season from the beach out to Bird Island, Main Pass, Pass-a-Loutre area.

Mr. Mike Trosclair, a commercial shrimper, stated the shrimp season was set in zones so it could be managed by zones according to the harvestable shrimp in each area. He then explained the different size shrimp that he was catching and felt it would be an injustice to close the season around the 20th of December. After asking for the extension, Mr. Trosclair expressed his appreciation to Commissioner Jones for serving on the Commission. Commissioner Vujnovich asked Mr. Trosclair if he stated the brown shrimp season was open too late in Zone 1? Commissioner Mialjevich asked if the marsh area and the Breton Sound area were two different systems as far as the size of shrimp was concerned.

Mr. Barry Schaferkotter, Lake Pontchartrain Fisherman's Association, requested the Commission leave the season open for at least two weeks or longer if it would not hurt another resource.

Chairman Schneider asked Mr. Savoie to read the Declaration of Emergency. Commissioner Mialjevich made a motion to accept the Declaration of Emergency and was seconded by Commissioner Vujnovich. The motion passed with no opposition.

(The full text of the Declaration of Emergency is made a part of the record.)

#### DECLARATION OF EMERGENCY

##### Department of Wildlife and Fisheries Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) and R.S. 49:967 of the Administrative Procedure Act which allows the Wildlife and Fisheries Commission to use emergency procedures to set shrimp seasons and R.S. 56:497 which provides that the Wildlife and Fisheries Commission shall fix no less than two open seasons each year for all inside waters and shall have the authority to open or close outside waters, the Wildlife and Fisheries Commission does hereby extend the 1994 Fall Inshore Shrimp Season in all the waters of Zone 1. The Commission does also hereby set the closure of Zone 1 to be 12:01 a.m. February 1, 1995.

Zone 1 is that portion of Louisiana's inshore waters from the Mississippi State Line westward to the eastern shore of South Pass of the Mississippi River.

The Commission also hereby grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing date in Zone 1 or set any special seasons if biological and technical data indicate the need to do so or if enforcement problems develop.

John F. "Jeff" Schneider  
Chairman

Mr. Corky Perret began his **Report on Grand Terre and Its Activities** by thanking Commissioner Jones for his time served on the Commission. Mr. Perret provided information requested on the lab and then introduced Mr. Claude Boudreaux, Lab Supervisor, to the Commission. Commissioner Jones asked how was the lab doing since it was re-opened during this administration? Mr. Perret stated it was doing fine but there was always room for improvement. Commissioner Jones asked when exactly did the Lab re-open? Mr. Perret read from Title 56:611 on the establishment of the lab and



then informed there were three technical personnel and six support personnel on staff. Commissioner Jones asked if the on-going projects were the hook and release mortality and age and growth projects and if \$400,000 was spent on the catch and release study? Chairman Schneider asked when would the catch and release study be finished and when would a report be provided? Commissioner Jones asked how the Department prioritized the finfish dollars with the research programs and does the Department need to keep re-studying fish that we already have factual information on? Then he asked how much does it cost to maintain and operate the Lab for a year and how much comes from the Finfish and Wallop-Breaux funds? Mr. Boudreaux stated approximately \$350,000 came from the Conservation Fund and the other \$150,000 came from Federal Funds. Mr. Perret, at this point, explained some of the future projects the Department wanted to address. Commissioner Vujnovich explained a project on the production of oysters and felt it was ~~important~~ <sup>better</sup> to have too much information than not enough information. Commissioner Jones asked if the federal monies for the oyster project was within the total operating budget for the lab? Chairman Schneider asked if the age and growth study was an on-going project and would there ever be a report given on this study? Mr. John Roussel stated the information from this study was given every time a stock assessment report was given. Chairman Schneider asked if funds were received from the different groups that use the facilities? Commissioner Mialjevich asked Mr. Perret when he talked to the federal people about turtles, would he argue for money to do necropsy on the turtles? Then he asked what happened to the funds that ~~was~~ <sup>were</sup> available for turtle strandings? Commissioner Jones asked if 70 percent of the budget for the lab was from finfish dedicated funds and was 70 percent of the work done at the lab on finfish? Commissioner Mialjevich asked if Enforcement was included in finfish work? Commissioner Jones asked that projects be prioritized more toward new and innovative things instead of repeating research projects we already know the results of. Mr. Perret welcomed any suggestions on activities that should be addressed that were not being addressed. Commissioner Mialjevich <sup>study</sup> asked what type of netting was used on the commercial netting mortality of spotted seatrout and red drum. Commissioner Jones thanked Mr. Perret for the report and then encouraged the recreational fishermen to let the Department know what their needs are in finfish research. He also suggested ~~making~~ <sup>quarterly</sup> reports to the Commission on activities at the lab.

Chairman Schneider asked for <sup>an</sup> update on the fisheries management plans in the near future. He then asked for a copy of any reports on the economic impact of red and black drum. Commissioner Jones asked if there were economic impact studies on these fish? Mr. Farhad Niami stated an economic impact analysis on black drum was conducted and submitted to the Office of Fisheries. Also, there has been some draft analysis done on the red drum fishery. Chairman Schneider asked if any analysis had been done on trout or flounder? Commissioner Jones asked if there was an

economic impact study on redbfish? Chairman Schneider asked if any studies on economic impact had been done on mullet and again requested copies of any economic impact studies that may be available.

*could* **Des Allemands Catfish - Ratification of Recision of October Declaration of Emergency; Declaration of Emergency** was handled by Mr. Don Puckett. This information was being presented as a result of questions from Commissioner Mialjevich after the action taken at the November Commission Meeting. He then stated this action would confirm and ratify what occurred at that meeting. Commissioner Mialjevich explained the public was not given advance notice on what the Commission was doing. Then he asked if enough notice was given this time. Mr. Puckett advised the agenda was sent out according to law. Commissioner Mialjevich asked what did the publication of the agenda include and were all the bases covered this time. Mr. Puckett suggested the Commission move to approve the Resolution and Declaration of Emergency. Chairman Schneider requested Mr. Puckett read the Resolution. Commissioner Jones asked if the resolution from the last meeting *could* be read as well? Mr. Puckett stated this resolution incorporated the resolution from the November meeting. Commissioner Mialjevich asked how could the permit fee be returned to some fishermen that had applied for the permit? Mr. Puckett read the December Resolution for the record. Commissioner Mialjevich made a motion to accept the Resolution and was seconded by Commissioner Vujnovich. The motion passed with no opposition.

(The full text of the Resolution and Declaration of Emergency is made a part of the record.)

#### RESOLUTION

##### WILDLIFE AND FISHERIES COMMISSION DEPARTMENT OF WILDLIFE AND FISHERIES

December 1, 1994

**WHEREAS,** the Commission, at its regular meeting of October 6, 1994 voted upon and passed a Declaration of Emergency and accompanying Resolution and Emergency Rule reducing the size limit for the take of channel catfish and establishing a paid permit system to allow the take of channel catfish between 8" and 11" by permittees within the specified area, and;

**WHEREAS,** it has been brought to the attention of the Commission that the Declaration of Emergency it passed was defective in that facts sufficient to establish an emergency within the meaning of La. R.S. 49:953(B), were not established, and;

**WHEREAS,** it has further been brought to the attention of the Commission that no statutory basis exists for the establishment of a paid permit system for the taking of catfish under the 11" minimum size proscribed by statute, and;

**WHEREAS,** it has been brought to the attention of the Commission that the Joint House and Senate Natural Resources Committee having oversight power over Commission action has found that the Declaration of Emergency previously enacted by the Commission is without basis and that no statutory basis exists for the paid permit system established by the Resolution and Emergency Rule and has requested that the Commission revoke and rescind the previous actions, and;

**WHEREAS,** at its November 3, 1994 meeting, the Commission by resolution revoked and repealed the October 6 Declaration of Emergency, and;

**WHEREAS,** subsequently, legal questions have been raised concerning the validity of that action; and counsel has recommended that further action is advisable to resolve these questions.

**NOW, THEREFORE BE IT RESOLVED,** this Commission does hereby ratify its November action, revoking and repealing the October 6 Declaration of Emergency, and further toward that same end hereby passes and approves the attached Declaration of Emergency.

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John F. "Jeff" Schneider  
Chairman, La. Wildlife &  
Fisheries Commission

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Joe L. Herring  
Secretary, La. Department of  
Wildlife and Fisheries

#### DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act, the Wildlife and Fisheries Commission hereby finds that an imminent peril to the public welfare exists and accordingly adopts the following emergency rule:

The Declaration of Emergency promulgated by the Wildlife and Fisheries Commission on October 6, 1994, and published in the Louisiana Register on October 20, 1994 at page 1091-1092, Vol. 20, No. 10 is hereby repealed, rescinded and annulled. The effect of this repeal is to repeal the permitted taking of channel catfish

under 11 inches and to reestablish the statutorily set size limit of 11 inches for channel catfish.

At its November 2, 1994 Legislative Oversight meeting, the Joint House and Senate Natural Resources Committee found certain statutory deficiencies in the October 6 Declaration of Emergency and went on record officially asking the Commission to immediately rescind it. This Declaration of Emergency is necessary to accomplish that action and remove any statutory deficiencies that may have occurred with the promulgation of the October 6 Declaration of Emergency.

John F. "Jeff" Schneider  
Chairman

Chairman Schneider asked Mr. Don Puckett for an **Update on Moratorium** issue. Mr. Puckett stated he was requested by Secretary Herring to find out if the Commission has the authority to implement a moratorium on issuance of specific gear licenses. In his opinion, he stated the Commission did not have that authority. Commissioner Mialjevich wondered where in the law book did it state this opinion? Mr. Puckett stated the Commission was the constitutional body to manage and conserve wildlife but it was to be done in accordance with statutorily passed laws. Commissioner Mialjevich felt he needed further verification on Mr. Puckett's opinion.

*MUST*  
Representative Ken Odinet stated he received numerous communications from recreational and commercial fishermen about the possible onslaught of fishermen coming into Louisiana. He asked the attorney for the Natural Resources Committee to see if there was a possibility to avert the onslaught. Representative Odinet cited the sections and statutes that gave the Commission the authority and then requested the Commission to pass a Resolution that would limit the issuance of a license on the condition that ~~the licensee would~~ have obtained a license in the last three years. He believed that the Commission did have the authority both constitutionally and statutorily. From the cost standpoint alone, Representative Odinet felt it the Commission's duty to pass a Resolution to limit or condition the issuance of new licenses. Commissioner Mialjevich asked Representative Odinet to read over a draft Declaration of Emergency to see if it met with his approval.

Commissioner Jones stated he had a copy of a memorandum from Attorney Ben Bradford with the Senate Natural Resources Committee that said the Commission was exceeding its authority by proposing a moratorium restricting the sale of gill net licenses for the purpose of excluding out-of-state fishermen. Representative Odinet stated the Commission was not limiting anyone, the Commission was just performing a duty they are statutorily required to do. If fishermen from out-of-state or those in Louisiana sue because of the moratorium, that was an issue the courts would have to resolve.

stated Representative Odinet. Chairman Schneider asked Secretary Herring to get an opinion from the Attorney General. Commissioner Gisclair stated that route would take too long before receiving an opinion. Chairman Schneider stated the Attorney General would be the answer to the question but noted he would entertain any action the Commission may have.

*they were* Representative Frank Patti stated one problem was ~~there were two opinions already and~~ now asking for another opinion from the Attorney General. He felt the Commission should pass a Resolution pending the Attorney General's opinion. Representative Patti was attending the Commission meeting representing the state, not just the commercial fishermen. He felt action should be taken immediately instead of waiting until the Legislature convened in March 1995. Commissioner Jones stated the merits of each issue should stay with each issue and asked Representative Patti if his statement about sitting on the Budget Committee was a threat. Representative Patti stated he was trying to show how he has always worked for the good of the Commission and the Department.

Chairman Schneider stated the Commission received an opinion from Mr. Don Puckett and wondered where they would be if they did not follow his opinion. With that being stated, Commissioner Mialjevich noted Mr. Puckett knew the Declaration of Emergency passed at the October Meeting was illegal and did not stop the Commission. Mr. Puckett reminded Commissioner Mialjevich how he made several comments during the discussion such as imminent peril and statutory basis for the permits.

Mr. Craig Wyman, Louisiana Seafood Management Council, stated, in his opinion, the moratorium was within the authority of the Commission and was a relatively conservative action. Mr. Wyman cited several sections that gave the Commission the authority to act and urged them to do so.

Mr. George Barasich felt the Commission wanted to make sure the GCCA was successful in banning nets from Louisiana waters. He requested the Commission work jointly with the commercial fishermen to manage and utilize the resources ~~for which each user group was~~ entitled to.

Mr. Karl Turner, Louisiana Seafood Marketing Board, stated the motive behind the moratorium was not to keep non-residents out of Louisiana, but to provide better protection for the resources. This would also provide for better enforcement and better conservation of the resources.

Mr. Randy Lanctot, Louisiana Wildlife Federation, stated a moratorium was the first step in developing a limited entry system and the Federation supported such a step.

Commissioner Vujnovich reminded everyone of a moratorium on weekend gill netting and stated he was willing to stick his neck out to stop the invasion of gill nets. He requested putting a moratorium not just on commercial fishermen, but also on the recreational ~~fishermen~~ <sup>or</sup>

Mr. Barry Schaferkotter, a commercial fisherman, stated it was time to put the moratorium on not only to help the fishermen with their livelihoods but also to better the industry and make sure there is enough resource to go around. He thanked Mr. Lanctot for backing the moratorium.

Mr. Sal Piazza, Chairman of the Louisiana Seafood Management Council, urged the Commission to take a chance and pass the moratorium.

Commissioner Jones asked the Department's position on the moratorium issue. Secretary Herring began <sup>by</sup> noting his disappointment in statements made about a Department employee. If an issue to be decided would benefit his family, Secretary Herring stated he would be willing to vote for that issue. Then he stated his recommendation was to pass something now until the <sup>legislature</sup> ~~legislation~~ convened. Chairman Schneider asked Mr. Puckett if he looked at the resolution and if the resolution addressed how temporary this could be until the legislature convened? Mr. Puckett advised he sent his Resolution out to the staff for their comments and another Resolution was drafted by the Marine Fisheries Division. Chairman Schneider asked if the rules would have to be suspended in order to vote on the resolution with the agenda item worded as Update on Moratorium? Mr. Puckett stated in order for the Commission to impose a moratorium, a two-thirds vote would be needed to add this to the agenda. Commissioner Jones asked for clarification on the resolution and if the ceiling on commercial gear licenses was established with the resolution. Mr. Puckett advised the only people eligible would be those applying for a renewal license. Chairman Schneider asked Mr. Puckett to review both resolutions and then the Commission would return to this item.

**Civil Restitution and Class 1 Update** for the months of October and November was provided by Mrs. Wynnette Kees. During October and November, 137 cases were assessed for a value of \$121,018 and payment was received on 83 cases which totaled \$12,896. The major computer changes have been completed and the remainder would be finished over the next two to four weeks. Commissioner Mialjevich asked if the confiscated goods already in the Department's possession would be listed on the computer, or just the items confiscated in the future. Commissioner Vujnovich stated a judge from New Orleans was ordering violators to contribute \$10,000 to a program that benefits the children of New Orleans. Commissioner Mialjevich stated Commissioner Vujnovich was saying when a judge handed down a \$20,000 fine, \$10,000 would go to a New Orleans program and \$10,000 to the Department and then asked if the

Department knew about this procedure. Col. Winton Vidrine stated there was a judge from New Orleans that sentenced violators to make payment to the Department for whatever the violation was. Commissioner Mialjevich asked if a report could be obtained on this special fund these fines were being placed into.

The **Monthly Law Enforcement Report for November** was given by Col. Winton Vidrine. The following numbers of citations were issued during the month of November.

Region I - Minden - 52 citations.

Region II - Monroe - 69 citations.

Region III - Alexandria - 137 citations.

Region IV - Ferriday - 86 citations.

Region V - Lake Charles - 135 citations. Commissioner Mialjevich asked if the Department had state regulations on spanish mackerel.

Region VI - Opelousas - 115 citations.

Region VII - Baton Rouge - 139 citations.

Region VIII - New Orleans - 166 citations.

Region IX - Thibodaux - 169 citations.

Statewide Strike Force - 55 citations.

Offshore Boats (SWEP) - 18 citations.

Oyster Strike Force - 64 citations.

The grand total of citations issued statewide for the month of November was 1,066. Col. Vidrine stated he sent agents to check mullet fishermen and have not found one speckled trout or redfish on their trucks or boats. Commissioner Mialjevich asked what was the possibility of boats catching truckloads of speckled trout and redfish. Col. Vidrine stated his appreciation to Commissioner Jones from the Enforcement Division. Commissioner Mialjevich asked for a copy of the violations issued on freshwater catfish issues and referred Col. Vidrine to his original request from October 1994.

Commissioner Jones stated he received a copy of a letter written by Commissioner Mialjevich on the attitude of the Enforcement Division and asked Commissioner Mialjevich what ~~was~~ <sup>MEANT</sup> he mean. Commissioner Mialjevich stated at the time he came on the Commission, he asked for a better working relationship between

enforcement and the public but that he was still getting complaints. Col. Vidrine assured Commissioner Mialjevich that each and every complaint turned into the Department was investigated and reported on. Commissioner Jones felt the agents and the Department were friends for the public and stewards of the resources of the state. Lt. Col. Charlie Clark remarked the agents' actions are dictated to them from the laws and criminal proceedings and from the Department.

Mr. George Barasich, a commercial fisherman <sup>who</sup> ~~that~~ has been checked often stated he has been treated with the utmost respect and with contempt. He then stated the relationship with the agents has gotten better as time goes on.

Chairman Schneider then returned the meeting ~~back~~ to the agenda item **Update on Moratorium**. Mr. Don Puckett provided each member with a copy of a resolution prepared by the Marine Fisheries Division. Commissioner Mialjevich stated the second resolution did incorporate what was in the original draft and was a very comprehensive document. Chairman Schneider asked Mr. Puckett if he read the resolution. Mr. Puckett advised the Commission they would need to discuss issues on who would or would not be eligible before passing the resolution. Chairman Schneider asked if the Commission has the authority to pass the resolution. Mr. Puckett stated, in his opinion, the Commission does not have the authority to pass the moratorium resolution. Mr. John Roussel explained the basic differences between the original resolution and the Marine Fisheries' resolution. Commissioner Mialjevich asked when did the 1995 licenses start being sold? Commissioner Jones asked how many out-of-state license have been sold? Commissioner Cormier stated to Commissioner Mialjevich that he was the one that made a motion to wait until the November meeting before acting upon a resolution at the October meeting in order for Mr. Puckett to check and make sure the law was being followed. Then Commissioner Cormier asked Mr. Puckett if he has had time to research the moratorium issue and if some other form of action could be taken until such time that factual data could be obtained. Commissioner Gisclair asked Mr. Puckett if he looked at the moratorium issue from the point of managing the resources. He then stated the resources of the state could not stand an influx of fishermen, whether from resident or non-resident fishermen. Commissioner Gisclair then suggested <sup>getting</sup> passing the resolution and then ~~let~~ the legislature pass a permanent rule to rectify the problem. Commissioner Mialjevich reminded everyone the two legislators that spoke on the issue were on the Oversight Committee and would not be making their recommendations if they felt it was wrong. Chairman Schneider then stated a two-thirds majority was needed to put the item on the agenda. Commissioner Gisclair made a motion and was seconded by Commissioner Vujnovich. The motion failed with a vote of three votes for the motion and four against. Commissioner Jones requested the Department seek an opinion from the Attorney General's Office that would direct the Commission in their role on



the issue. Chairman Schneider asked Secretary Herring to get the opinion before the next Commission meeting. Then Commissioner Gisclair asked that the request to the Attorney General be specific as it relates to the second resolution; if the Commission has the authority and powers for the moratorium; and to put the item on the next Commission agenda to know if a response has been received.

The **Secretary's Report** to the Commission was given by Secretary Herring. He reminded everyone of the November Commission Meeting held in Woodworth, the dedication of the Wildlife Educational Center and the renovation and ground breaking for the fish hatcheries. Secretary Herring felt it was one of the biggest days for the Department.

Secretary Herring then stated he has received numerous complaints about fishermen carrying speckled trout and redfish out of the state and that he sent agents down to the area mentioned to check out the stories. He felt a lot of these stories were untrue. Another complaint received was on out-of-state fishermen buying resident fishing licenses. These complaints were also investigated by the enforcement agents.

A meeting was held at the Marine Lab with the menhaden people receiving reports from the staff. ~~Then~~ Secretary Herring ~~hoped~~ to get the lab in good condition and hoped it would stay in that same shape in the future. *hoped*

Mr. Brandt Savoie was placed in charge of the sea turtles, which included receiving telephone calls and information on the turtle.

Staff from the Wildlife Division met with the National Group of Ducks Unlimited on proposed projects that would be funded not only by DU but also the North American Waterfowl Management Plan. The Yakey WMA property was reviewed during the meeting so possible funds could be obtained.

Mr. Bennie Fontenot and Secretary Herring attended a meeting with Mississippi representatives to discuss Eagle Lake and other problems that were going on with border lakes.

The Aquatic Plant Section sprayed or treated 2,394 acres of vegetation and 9,571 acres have been sprayed by aerial application for the year.

Two rigs were placed in the western part of state as an artificial reef during the month. The Recreational Fishing Board met and their main concern and strategies for the future were looked into.

Secretary Herring then stated Dr. Ruth Elsey and Mr. Noel Kinler, from the Fur & Refuge Division, attended the International

Union for the Conservation of Nature (IUCN) meeting. At the meeting, the Louisiana alligator procedures were adopted for all species worldwide. The International Association of Fish and Wildlife Agencies asked Mr. Johnnie Tarver to attend a CITES meeting.

The Natural Heritage program was working on a new publication, "Backyard Habit". It would pertain to wildlife in the cities and Secretary Herring felt it was going to be a popular publication.

The Information & Education Division held a total of 44 different classes with 2,412 students in attendance.

A lot of time during November was spent by the Division Administrators and Assistant Administrators preparing the budgets and getting it submitted to the legislature.

Secretary Herring then asked Mr. Hugh Bateman to provide a report on the hunting seasons. Mr. Bateman reported the first split of the duck season was unusual with certain spots having excellent results and other parts of the state having poor to awful results. Catahoula Lake was very good this year as has been in the past. It was predicted the second half of the season would be better with more birds coming into the state. The deer season has been good across the state. Hunting participation was down a little but hunting success was good. Continued success was anticipated for the rest of the deer season. Mr. Bateman then expressed his appreciation on behalf of the Wildlife Division to Commissioner Jones for his help over the past years.

**Election of Chairman and Vice-Chairman** began with Chairman Schneider stating the floor was open for nominations. Commissioner Gisclair made a nomination of Commissioner Vujnovich for Chairman. Commissioner Jones made a substitute nomination ~~of~~ Chairman Schneider remain Chairman and Commissioner Cormier remain Vice-Chairman. Chairman Schneider then called for a motion to close the nominations. Commissioner Cormier made the motion to close nominations and was seconded by Commissioner Hanchey. The vote on the substitute motion passed with Chairman Schneider, Commissioner Jones, Commissioner Hanchey and Commissioner Cormier voting for the motion and Commissioner Vujnovich, Commissioner Mialjevich and Commissioner Gisclair <sup>VOTING</sup> voted against it. *Heat*

The Commissioners voted to hold the **April 1995 Meeting** on Thursday, April 6, 1995 in the Baton Rouge office, beginning at 10:00 a.m. Mr. Corky Perret asked for guidance with the May Commission meeting which also included the shrimp meeting and ~~it is~~ <sup>being</sup> traditionally held in New Orleans. Problems have arisen in locating a facility in New Orleans, but Nicholls State University has offered one of their halls for the meeting. The Commissioners agreed on the offer from Nicholls.

Chairman Schneider asked for **Public Comments** and none were heard.

There being no further business, Commissioner Gisclair made a motion to **Adjourn** the meeting and was approved by all.

---

Joe L. Herring  
Secretary

JLH:sch



# Louisiana Seafood Management Council

1820 Airline Highway  
Metairie, LA 70001



Sal C. Piazza  
President  
(504) 834-6700

December 6, 1994

Preston J. Battistella  
Vice President  
(504) 949-2724

Mr. Don Puckett, Attorney  
Wildlife & Fisheries  
P. O. Box 98000  
Baton Rouge, Louisiana 70898-9000

Dear Mr. Puckett:

We submit the attached document so that it might become part of the official minutes of the December 1, 1994 Wildlife & Fisheries Commission meeting.

Also, we trust that you will submit it along with other materials to the Attorney General's Office. Since chairman Schneider rushed and attempted to deny our legal counsel the opportunity to deliver his presentation, we submit in writing our argument that the Commission does have the authority, the duty, and, indeed, the responsibility to enact the proposed fishery management policy.

Though not explicitly stated, the moratorium is simply one of many fishery management techniques available to the Commission in its broad rulemaking authority granted by the legislature over saltwater fishery conservation and management, including specific authority to prevent overfishing, to rebuild reduced stocks, and to ensure conservation.

Sincerely,

*Preston Battistella*  
Preston Battistella  
Vice President

PB:cw

xc: The Honorable Edwin W. Edwards  
Attorney General Richard P. Ieyoub  
Mr. Bert Jones  
Capt. Peter Vujnovich  
Mr. John F. Schneider  
Mr. Perry Gisclair  
Mr. Joseph B. Cormier  
Mr. Jerald Hanchey  
Mr. Tee John Mialjevich  
Mr. Joe L. Herring, Secretary

*Copies to:*  
*Suzanne Hanchey*  
*[Signature]*

DEC 08 94

CLERK OF THE COURT  
JAN 11 1995

**LISKOW & LEWIS**

A PROFESSIONAL LAW CORPORATION

**ATTORNEYS AT LAW**

GENE W. LAFITTE  
BILLY H. HINES  
THOMAS D. HARDYMAN  
JOHN M. KING  
LEON J. REYMOND, JR.  
J. BERRY ST. JOHN, JR.  
DONALD R. ASAUNZA  
JOHN M. WILSON  
LAWRENCE R. SIMON, JR.  
FREDERICK W. BRADLEY  
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THOMAS F. GETTEN  
GEORGE H. ROBINSON, JR.  
GEORGE J. DOMAS  
HARILYN E. MALONEY  
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CULLEN R. LISKOW (1992-1997)  
AUSTIN W. LEWIS (1910-1974)

WM. CRAIG WYMAN  
JAMES A. BROWN  
R. KEITH JARRETT  
CHERYL V. CUNNINGHAM  
STEVIA M. WALTHER  
ROBERT S. ANGELICO  
ROBERT L. THERIST  
DENA L. OLIVER  
GEORGE ARCENEAUX III  
MARIE BREAUX  
JONATHAN A. HUNTER  
THOMAS P. DIAZ  
MARY E. JOHNSON  
KATHLEEN FRIEL KETCHUM  
SCOTT C. SEILER  
CECILY ELIZABETH BATEMAN  
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MARK D. LATHAM  
SHANNON S. NOLTZMAN

JOHN C. ANJIER  
G.C. BLANSON, JR.  
KAREN MALES WHITFIELD  
NYDA BROOK ZELENSKA  
CAROL WELBORN REISMAN  
CAROL L. DUNNE  
MATT JONES  
JILL THOMPSON LOSCH  
DAVID L. REISMAN  
PATRICIA E. CAMPBELL  
NEIL C. ABRAMSON  
DAVID L. PATRON

OF COUNSEL  
WILLIAM M. MEYERS  
ROBERT T. JORDEN  
CHARLES C. GEMILLION  
JAMES L. PELLETIER

\*BOARD CERTIFIED TAX ATTORNEY

WRITER'S DIRECT DIAL NO. (504) 556-4161

New Orleans, Louisiana

December 5, 1994

Preston J. Battistella  
Louisiana Seafood Management Council  
1820 Airline Highway  
Metairie, LA 70001

Re: Rulemaking Authority of Wildlife  
& Fisheries Commission

Dear Mr. Battistella:

This letter responds to the Council's request for our analysis of the authority of the Wildlife & Fisheries Commission to initiate a rulemaking which would impose a moratorium on the issuance of new saltwater licenses for a limited time period. I understand this request assumes that all procedural rulemaking requirements would otherwise be followed, and that the moratorium as adopted would plainly apply in a non-discriminatory fashion to residents and non-residents alike.

After reviewing the pertinent enabling statutes found in Title 56 of the Louisiana Revised Statutes, we conclude that the Wildlife & Fisheries Commission possesses ample authority to act in this fashion. We have approached this issue cognizant of certain fundamental principles of administrative law with regard to agency rulemaking. The starting principle requires that the actions of an administrative agency must conform to its legislative grant of authority. See, e.g., La. R.S. 49:963; Benson & Gold Chevrolet, Inc. v. Louisiana Motor Vehicle Commission, 403 So. 2d 13 (La. 1981). A corollary to this rule, however, recognizes that an agency's regulation or administrative practice will ordinarily be deemed valid unless it is unreasonable or inappropriate, or plainly inconsistent with the agency's enabling statute. U.S. v. St. Bernard Parish, 756 F.2d 1116 (5th Cir. 1985), cert. denied, 474 U.S. 1070. Stated another way, the

December 5, 1994

courts have held that the validity of a regulation promulgated pursuant to an agency's enabling statute should be upheld, as long as the rule is reasonably related to the purposes of the enabling legislation. U.S. v. Central Gulf Lines, Inc., 747 F.2d 315 (5th Cir. 1984). If the agency's action is challenged, a court will give a presumption of propriety to the regulatory promulgation, and place the burden on the challenging party to prove that the rule is invalid. State v. Davis, 448 So. 2d 645 (La. 1984).

With these principles in mind, we note that the Wildlife & Fisheries Commission has been delegated broad rulemaking authority over the conservation and management of Louisiana's fishery resources. See, e.g., La. R.S. 56:6(10) (the Commission shall adopt rules for the "comprehensive control" of fishery resources); La. R.S. 56:6(15) (delegating to the Commission "full power and control" over all fish, whether salt or fresh water); La. R.S. 56:6(25)(a) (the Commission shall promulgate rules and regulations with regard to a variety of parameters for fishery access); La. R.S. 56:301.5 (the Commission may promulgate rules and regulations concerning any aspect of licensing not specifically provided for); and La. R.S. 56:638.1 et seq. (specifically granting the Commission significant authority over saltwater fishery conservation and management, including specific authority to prevent overfishing, to rebuild reduced stocks, and to ensure conservation).

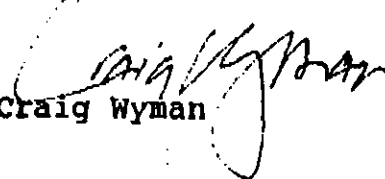
In view of these broad statutory delegations of power, we find that the Wildlife & Fisheries Commission has not only the authority, but the duty, to act as circumstances arise. If, for example, a multiplicity of new saltwater licenses would pose a distinct threat of overfishing, the Commission has a statutory duty to mitigate that harm, and could within its discretion determine that a moratorium on new saltwater licenses would be a reasonable implementation of its authority to conserve and manage the state's fishery resources. Although a question has been raised as to whether the specific mention of a "moratorium" authority is required in the Commission's enabling statute, we conclude, consistent with fundamental principles of administrative law, that the very nature of a legislative delegation of power is to allow an agency to implement its regulatory authority in a flexible and reasonably prudent manner. As noted by a respected legal treatise on this subject, "It is impossible to draft a statute with sufficient precision and foresight to resolve each of the hundreds of issues that are likely to arise during the life of the statute." Davis and Pierce, Administrative Law Treatise, Third Edition, § 3.1 (1994). Based in part on this very consideration, the courts, as noted above, regularly uphold agency rulemaking as long as it is reasonable and appropriate.

December 5, 1994

Accordingly, the Commission's actions in imposing a saltwater license moratorium should satisfy these judicial standards.

If you have any additional questions, please do not hesitate to call.

Sincerely,

  
Craig Wyman

WCW/ym

278759WCWd

## WILDLIFE &amp; FISHERIES/NFL/GOLF

# LWFC denies vote on moratorium for net licenses

By JOE MACALUSO  
Advocate outdoors writer

The state's commercial saltwater fishermen will have to wait until January to find out if the Louisiana Wildlife and Fisheries Commission will enact a moratorium on the sale of net licenses.

By a 4-3 vote Thursday, the commission denied consideration of a vote on the resolution, which called for a moratorium on the "issuance of additional licenses for the use of saltwater gill nets, trammel nets or fish seines."

The resolution provided that fishermen wanting to purchase a license would have to meet two criteria: That he had purchased a 1994 license before Nov. 15 of this year, and that he had purchased similar state licenses in either 1992 or 1993.

Because the resolution had not been included on the agenda, it needed a two-thirds majority vote to be added to the proceedings.

Commission chairman Jeff Schneider, outgoing member Bert Jones, J.B. Cormier

and Jerald Hanchey voted to not allow the resolution to be submitted. Tee John Mialjevich, Pete Vujnovich and Perry Gisclair, who have ties to commercial fishing, voted to put the item on the agenda.

The "no" vote came despite pleas from Department of Wildlife and Fisheries secretary Joe Herring, State Representatives Ken Odinet (D-Arabi) and Frank Patty (D-Belle Chasse), state Seafood Marketing and Promotion Board director Karl Turner, Louisiana Wildlife Federation executive director Randy Lanctot and a handful of commercial fishermen and seafood wholesalers.

Lanctot said the federation has favored a system of limiting the entry of fishermen into the state's commercial fishing industry. All parties said they view the moratorium as a first step in establishing a limited entry system.

The petitioners told the commission that the moratorium was needed to stem the expected tide of out-of-state commercial fishermen, especially from Florida, where voters banned the use of finfish nets in state

waters effective July 1, 1995.

In November, Schneider and Mialjevich asked LDWF attorney Don Puckett for an opinion outlining the commission's power in establishing a moratorium.

Puckett told the LWFC that it "does not have the constitutional or statutory authority to implement a moratorium on the issuance of specific types of gear licenses."

"That's unacceptable," Mialjevich shouted at Puckett. "There is nothing citing chapter and verse here. Don't come up here with something like this. We need more than three lines."

Mialjevich told his fellow commissioners to discount Puckett's statement in light of problems the commission faced in October when it passed a controversial Declaration of Emergency to open a special undersized catfish season.

"He gave us bad advice then. Why should we believe him now?" Mialjevich said.

Puckett refuted Mialjevich's charge, which also drew fire from Jones and Herring. Puckett held firm to his opinion.

Odinot said Louisiana House of Repre-

sentatives' attorneys held the opinion that the commission could pass the moratorium. He said the commission should pass the resolution as a stop-gap measure "until the Legislature can take up the matter next spring." The Legislature is scheduled to convene in March.

Herring also supported the moratorium saying, "I would pass something until the reinforcements (the Legislature) gets here to help us."

Jones said the issue wasn't as much about the moratorium as it was to clear up legal differences.

After the vote, Schneider, who was elected to a second one-year term as chairman, said he paid more attention to Puckett's advice.

"When our attorney tells us that something is illegal, then I'm not going to vote for it," he said.

Jones, the ex-LSU and NFL star quarterback whose 6-year term ended Thursday, explained that attorneys told him the commission could be held liable for money lost to fishermen during any moratorium, if

that moratorium was challenged in court and declared unconstitutional.

"We would have to pay fishermen for lost wages if that happened," Jones said. "I'm not going to risk the state's money on anything, especially not when our attorney tells us we are breaking the law if we pass the resolution."

Schneider directed Herring to seek an opinion from the state's Attorney General and report to the commission at its Jan. 5 meeting.

In other action, the LWFC extended the current inshore shrimp season east of the Mississippi River from Dec. 18 to Feb. 1; extended the expiration date on the 14-inch minimum size limit on black bass at Eagle Lake through April 2, 1996; delayed voting on the LDWF's Timber Management Plan to allow for more public input; and, reviewed the composition for the new Catfish Task Force.

It also voted Cormier to a second term as vice chairman, and set April 6, 1995 for its monthly meeting in Baton Rouge.



COMMISSION MEETING  
ROLL CALL

Thursday, December 1, 1994  
Baton Rouge, LA  
Wildlife & Fisheries Building

	Attended	Absent
Jeff Schneider (Chairman)	<u>✓</u>	___
Bert Jones	<u>✓</u>	___
Perry Gisclair	<u>✓</u>	___
Tee John Mialjevich	<u>✓</u>	___
Joseph Cormier	<u>✓</u>	___
Jerald Hanchey	<u>✓</u>	___
Peter Vujnovich	<u>✓</u>	___

Mr. Chairman:

There are 7 Commissioners in attendance and we have a quorum.  
Secretary Herring is also present.

## AGENDA

### LOUISIANA WILDLIFE AND FISHERIES COMMISSION

BATON ROUGE, LA

December 1, 1994

10:00 AM

1. Roll Call
2. Approval of Minutes of November 3, 1994
3. Presentation of Plaque from Fur Resources Committee SEAFWA to Greg Linscombe - Joe Herring
4. Aircraft Report - Lee Caubarreaux
5. Receive Public Comments and Resolution - WMA Timber Management Plan - Bob Love
6. Catfish Task Force - Structure Review and Approval - Bennie Fontenot
7. Notice of Intent - Eagle Lake, Extend Period of 14" Minimum Size Limit on Black Bass - Arthur Williams
8. Consideration and Possible Declaration of Emergency to Extend 1994 Fall Inshore Shrimp Season - Brandt Savoie
9. Report on Grand Terre and Its Activities - Corky Perret
10. Des Allemands Catfish - Ratification of Recision of October Declaration of Emergency; Declaration of Emergency - Don Puckett
11. Update on Moratorium - Don Puckett
12. Civil Restitution/Class 1 Update - Wynnette Kees
13. Enforcement Report<sup>Nor.</sup> - Winton Vidrine
14. Secretary's Report to the Commission - Joe Herring
15. Election of Chairman and Vice-Chairman
16. Set April 1995 Meeting Date
17. Public Comments
18. Adjourn

## AGENDA

LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
BATON ROUGE, LA  
December 1, 1994  
10:00 AM

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## AGENDA

LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
BATON ROUGE, LA  
December 1, 1994  
10:00 AM

1. Roll Call

- I** ~20 — 2. Approval of Minutes of November 3, 1994  
~40 — *Recognition of Bert Jones*  
~100 — 3. Presentation of Plaque from Fur Resources Committee  
SEAFWA to Greg Linscombe - Joe Herring

166 — 4. Aircraft Report - Lee Caubarreaux

194 — 5. Receive Public Comments and Resolution - WMA Timber  
Management Plan - Bob Love

278 — 6. Catfish Task Force - Structure Review and Approval -  
Bennie Fontenot

424 — 7. Notice of Intent - Eagle Lake, Extend Period of 14"  
Minimum Size Limit on Black Bass - Arthur Williams

464 — 8. Consideration and Possible Declaration of Emergency to  
Extend 1994 Fall Inshore Shrimp Season - Brandt Savoie

**II** - 065 9. Report on Grand Terre and Its Activities - Corky Perret

- 486 10. Des Allemands Catfish - Ratification of Recision of  
October Declaration of Emergency; Declaration of  
Emergency - Don Puckett

- 565 11. Update on Moratorium - Don Puckett

**III** - 526 12. Civil Restitution/Class 1 Update - Wynnette Kees

- 566 13. Enforcement Report - Winton Vidrine

**IV** — 14. Secretary's Report to the Commission - Joe Herring

15. Election of Chairman and Vice-Chairman *Schneider/Commis*

16. Set April 1995 Meeting Date *Apr. 6*

17. Public Comments

18. Adjourn

VIDEO: ESPN slow?

# State of Louisiana



Joe L. Herring  
Secretary

Department of Wildlife and Fisheries  
Office of Fisheries  
P.O. Box 98000

Edwin W. Edwards  
Governor

William S. "Corky" Perret  
Assistant Secretary

Baton Rouge, LA 70898-9000  
504/765-2384 2370

November 22, 1994

## MEMORANDUM:

TO: Joe L. Herring, Secretary

FROM: Lee Caubarreux, Assistant Secretary *LC*

SUBJECT: Aviation Report - October 1994  
Total hours listed are:

PILOT		TOTAL HOURS
G. Rackle	-	13.9
B. Stamey	-	8.3
M. Windham	-	5.1
D. Clause	-	7.9
TOTAL HOURS	-	35.20

-0- No Flights

PLANE		FLIGHT HOURS	ESTIMATED <sup>1</sup> COST(TOTAL)	ACTUAL <sup>2</sup> COST(TOTAL)	COMMISSION METHOD
N61092 Amphib	-	8.3	972.18	708.32	1,734.29
70365 Float-DC	-	7.9	728.62	9,356.85	1,036.01
N2576K Float-MW	-	5.1	655.71	1,880.78	
N9467Y 210	-	8.4	938.62	1,663.70	1,737.20
N223MS Partenavia	-	5.5	864.16	15,257.31	1,498.64
N57266 Aero Commander	-				
TOTALS		35.20	4,159.29	28,866.96	6,006.14

<sup>1</sup>Estimated Cost is based on an historical average per flight hour.

<sup>2</sup>Actual Cost substitutes actual maintenance for the month for the average maintenance costs used in the previous figure. This is the only figure used in the calculation of estimated costs that varies significantly from month to month.

LGC:csg

cc: Debbie Unbehagen, Fiscal

OCTOBER, 1994

PLANE: N223MS (PARTENAVIA)				
DATE	PILOT	DESTINATION & PURPOSE	HOURS	PASSENGERS
10/21/94	STAMEY	BR-LOCAL: flight test/new engines	2.0	-----
10/24/94	RACKLE	BR-SHV-BR: CRT meeting	2.2	F. Trappey Henson Lester
10/27/94	STAMEY	BR-HOUMA-BR: drop off C-210	1.3	G. Rackle
		TOTAL	5.50	

PLANE: N9467Y (210)				
DATE	PILOT	DESTINATION & PURPOSE	HOURS	PASSENGERS
10/05/94	RACKLE	BR-MINDEN-BR: construction project	3.4	L. Caubarreaux D. Kropog
10/07/94	STAMEY	BR-SE COASTAL-BR: aquatic weed survey	4.5	C. Biggar
10/25/94	STAMEY	BR-HOUMA: drop airplane off at Avionics	.5	-----
		TOTAL	8.40	

PLANE: N70365 (FLOAT-DC)				
DATE	PILOT	DESTINATION & PURPOSE	HOURS	PASSENGERS
10/25/94	CLAUDE	NI-PORT SULPHUR-BLACK BAY-LAFOURCHE-NI: oysters	4.5	G. Gremillion J. Jukes
10/28/94	CLAUDE	NI-LAKE CHARLES-NI: search & rescue	3.4	G. Gremillion
		TOTAL	7.90	

PLANE: N61092 (AMPHIB)				
DATE	PILOT	DESTINATION & PURPOSE	HOURS	PASSENGERS
10/20/94	RACKLE	NO-COASTAL-: dead sea turtle search	4.2	-----
10/22/94	RACKLE	NO-GALLIANO-COASTAL: DNR permits	1.5	K. Kilgen

10/22/94	RACKLE	GALLIANO-COASTAL-HOUMA: DNR permits	1.1	D. Watson
110/22/94	RACKLE	HOUMA-NO-COASTAL: DNR permits	1.5	R. Latapie
		TOTAL	8.30	

PLANE: N2576K (FLOAT-MW)

DATE	PILOT	DESTINATION & PURPOSE	HOURS	PASSENGERS
10/25/94	WINDHAM	NO-SALVADOR WMA-NO: 3D seismic review	1.3	-----
10/27/94	WINDHAM	NO-ROCKEFELLER-NO: 3D seismic	1.7	-----
10/28/94	WINDHAM	NO-ROCKEFELLER-NO: 3D seismic	2.1	-----
		TOTAL	5.10	

PLANE: N25766 (AERO COMMANDER)

DATE	PILOT	DESTINATION & PURPOSE	HOURS	PASSENGERS
		NO FLIGHTS		

RESOLUTION  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
GENERAL FOREST MANAGEMENT PLAN  
December 1, 1994

- WHEREAS, since 1959 the Department has purchased, or received donations of over 382,000 acres of land dedicated as Wildlife Management Areas (WMAs), and
- WHEREAS, these lands were purchased as a means of conserving the dwindling bottomland hardwood forest and other special forest-type resource areas in the state along with their associated resident and migratory wildlife resources, and
- WHEREAS, in the past the mineral resources derived from these lands have provided funding for the Department's various management programs, including land acquisition, and this non-renewable resource is now almost depleted and unable to fully support the program, and
- WHEREAS, the Commission recognizes the needs of a controlled harvest program of the renewable forest resources on the WMAs for maintenance and development of quality timber and wildlife habitat, as well as being a means to financially support the Department's management programs, including land acquisition, and
- WHEREAS, the Commission recognizes the need for a plan of action to manage the Department's renewable forest resources that will perpetuate all qualities associated with the various habitat components represented by the diverse forest resource landholdings, and
- WHEREAS, the Department's General Forest Management Plan (Plan) supports the conservation of natural and unique habitat communities occurring on the WMAs as well as the restoration of the State's bottomland hardwood forest resources, and
- WHEREAS, the Plan establishes a WMA forest resource monitoring system to help guide the Department's managers in the long-term management of these timber resources to insure their integrity in perpetuity, and
- WHEREAS, the Plan recognizes the need to provide quality wildlife oriented recreational opportunities for the public, and maintenance of the aesthetic qualities associated with the forest resources on the WMAs, now
- THEREFORE, BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does endorse and adopt the General Forest Management Plan as the official plan for the administration and management of the Department's Wildlife Management Area Forest Resources.

---

John F. "Jeff" Schneider, Chairman  
LA Wildlife and Fisheries  
Commission

---

Joe L. Herring, Secretary  
LA Department of Wildlife  
and Fisheries



RESOLUTION  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
GENERAL FOREST MANAGEMENT PLAN  
December 1, 1994

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- WHEREAS, the Department's General Forest Management Plan (Plan) supports the conservation of natural and unique habitat communities occurring on the WMAs as well as the restoration of the State's bottomland hardwood forest resources, and
- WHEREAS, the Plan establishes a WMA forest resource monitoring system to help guide the Department's managers in the long-term management of these timber resources to insure their integrity in perpetuity, and
- WHEREAS, the Plan recognizes the need to provide quality wildlife oriented recreational opportunities for the public, and maintenance of the aesthetic qualities associated with the forest resources on the WMAs, now
- THEREFORE, BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does endorse and adopt the General Forest Management Plan as the official plan for the administration and management of the Department's Wildlife Management Area Forest Resources.

---

John F. "Jeff" Schneider, Chairman  
LA Wildlife and Fisheries  
Commission

---

Joe L. Herring, Secretary  
LA Department of Wildlife  
and Fisheries

30 November 1994

# LOUISIANA

Joe Herring, Secretary  
Louisiana Department of Wildlife  
and Fisheries  
P.O. Box 98000  
Baton Rouge, LA 70898-9000

Dear Mr. Herring:

Thank you for the opportunity for public comment on LDWF's General Forest Management Plan. The Nature Conservancy recognizes that the Louisiana Department of Wildlife and Fisheries has been a leader in habitat conservation, especially bottomland hardwood forests, for many years. Without the land acquisition and management programs of the Department, many significant forested areas would have little ecological value today. We applaud the past accomplishments of the Department and the foresight to develop a comprehensive forest management plan. We would like the following ideas considered for inclusion in the final General Forest Management Plan and the Commission resolution endorsing the plan.

## Issue 1. Objectives

The multiple-use philosophy for timber management on Wildlife Management Areas is clearly evident in the objectives, and is a philosophy we strongly support. Many of the objectives, especially the one that encourages production of naturally diverse forests that approximate "earlier" (pre-settlement) composition, structure and diversity are fully in line with the land management philosophy of TNC. It is important to stress that timber management should continue to be driven by sound science and wildlife management goals rather than economic need. Although we are concerned about the projected budget shortfalls facing LDWF, timber resources should not be viewed as the solution to the economic problems facing the Department.

## Issue 2. Ecosystem Management

In recent years, many new and often complex forest conservation issues have come to the forefront, including conservation of biological diversity, sustainable forestry, and ecosystem management. A Society of American Forester's Task Force defined ecosystem management as a "concept to achieve long-term forest health and productivity", which takes "a more ecological approach, managing the forest as a complex system functioning as a whole, not as a collection of parts." The Task Force found that traditional sustained-yield management was insufficient to achieve long-term productivity of all forest values.

P.O. BOX 4125

BATON ROUGE,

LOUISIANA 70821

(504) 338-1040

FAX 338-0103

Many state and federal resource management agencies are adopting management principles that specify goals for the conservation of biological diversity through ecosystem management. These include the U.S. Fish and Wildlife Service, U. S. Forest Service, National Biological Survey, Bureau of Land Management, U. S. Department of Defense, and the National Association of State Foresters. Although some components of ecosystem management are presented in the forest management plan and resolution, specific reference to taking an ecological approach in making management decisions would be timely. Ecosystem management will ensure retention of significant aspects of old-growth and natural forest structure while providing long-term commodity production. True sustainable forestry (as opposed to sustainable forests) necessitates the consideration of such factors as fragmentation, block size, edge vs. interior, management of adjacent lands, etc.

### **Issue 3. Natural Areas**

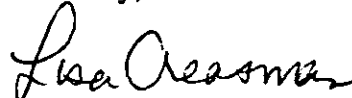
In light of possible increased timber management on WMA's, The Nature Conservancy is especially interested in the designation of natural areas. Due to past management, restoration of natural areas is often required. Therefore, the statement "no forest management will be practiced" should be removed from the draft plan so that the Department can retain the option of future forest management if deemed necessary for natural area restoration and management. Because natural area boundaries must be carefully designed to ensure long-term viability, the plan should include specifics on the criteria used for site selection. Additionally, we strongly urge that all approved natural areas be so designated as provided in R.S. 56:1867.

### **Issue 4. Review of Individual Plans**

Acceptance of public input on the General Forest Management Plan is greatly appreciated; however, the plan is, by necessity, very general and provides little information that is specific to individual WMA's. To allow for detailed comments on specific forest management practices proposed for each WMA, we request that LDWF release draft 10-year forest management plans for public review and comment prior to adoption by the Department.

Once again, thank you for the opportunity to comment on the draft forest management plan. We know that LDWF will continue to be a leader in conservation management and will continue to adapt their management as new conservation issues arise.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Creasman", with a stylized, flowing script.

Lisa Creasman  
State Director

RESOLUTION  
LOUISIANA WILDLIFE AND FISHERIES COMMISSION  
LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
GENERAL FOREST MANAGEMENT PLAN  
December 1, 1994

- WHEREAS, since 1959 the Department has purchased, or received donations of over 382,000 acres of land dedicated as Wildlife Management Areas (WMAs), and
- WHEREAS, these lands were purchased as a means of conserving the dwindling bottomland hardwood forest and other special forest-type resource areas in the state along with their associated resident and migratory wildlife resources, and
- WHEREAS, in the past the mineral resources derived from these lands have provided, in part funding for the Department's ~~various management programs, including~~ land acquisition program, and this non-renewable resource is now almost depleted and unable to fully support the program, and
- WHEREAS, the Commission recognizes the needs ~~of~~ for a controlled harvest program of the renewable forest resources on the WMAs for maintenance and development of quality timber and wildlife habitat, ~~as well as being as~~ a means to financially support the Department's management habitat acquisition and stewardship programs, including land acquisition, and
- WHEREAS, the Commission recognizes the need for a plan of action to manage the Department's renewable forest resources that will perpetuate all qualities associated with the various habitat components represented by the diverse forest resource landholdings, and that will be implemented independently of any financial needs of the department that might otherwise influence to convert timber assets to operating revenue.
- WHEREAS, the Department's General Forest Management Plan (Plan) supports the conservation of natural and unique habitat communities occurring on the WMAs as well as the restoration of the State's ~~bottomland hardwood~~ forest resources, and
- WHEREAS, the Plan establishes a WMA forest resource monitoring system to help guide the Department's managers in the long-term management of these timber resources to insure their integrity in perpetuity, and
- WHEREAS, the Plan recognizes the need to provide quality wildlife oriented recreational opportunities for the public, and maintenance of the aesthetic qualities associated with the forest resources on the WMAs, now
- THEREFORE, BE IT RESOLVED, that the Louisiana Wildlife and Fisheries Commission does endorse and adopt the General Forest Management Plan as the official plan for the administration and management of the Department's Wildlife Management Area Forest Resources.

# LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES

## WILDLIFE MANAGEMENT AREA

### GENERAL FOREST MANAGEMENT PLAN

The Louisiana Department of Wildlife and Fisheries has purchased approximately 382,000 acres of land since 1959. The extensive clearing of forestlands, especially bottomlands, for agricultural production was a key factor that prompted the Department to purchase these lands, thereby insuring the continued existence of these valuable ecosystems.

Forest management on these timbered tracts prior to purchase by the Department was non-existent, as evidence indicates the timber on most lands was severely high graded. Each time timber was cut, only the best trees were removed resulting in many of the present stands of poor quality and cull trees. Additionally, a change in ~~drainage systems~~ the natural hydrology, due to the demand of urbanization and agriculture, has affected the dynamic capability of the ecosystem to accommodate wildlife ~~of~~ on the isolated tracts of bottomland hardwoods. The Department now has the task of recuperating these lands to improve wildlife habitat, provide quality wildlife oriented recreational sites, and at the same time ~~produce~~ grow quality timber.

#### OBJECTIVES

The objectives of the forest management program on these areas are to design and implement a plan to enhance wildlife production and native flora and fauna characteristic of the areas; to provide quality wildlife oriented recreational opportunities for the public; to develop timber stands consisting of a wide variety of quality, mast-producing bottomland hardwoods of all ages, habitat diversity, and areas comparable to earlier forests in structure, composition, and diversity. Aesthetic qualities of the areas will be considered in forest management plans. Educational and research opportunities will be promoted to further a better understanding of the ecological/environmental factors associated with the diverse habitats represented. Additionally, production of timber products will be maintained, consistent with other objectives, as it plays an important role in the environmental and sociological atmosphere of the areas.

#### PLAN

Plan development requires an initial data base relative to the ~~subject~~ objectives of the plan. Working knowledge of the various areas indicates the presence of at least 14 timber types (Appendix A) as recognized by the Society of American Foresters publication "Forest Cover Types of the United States and Canada".

Limited to non-existent forest inventory data was provided to the Department upon purchase of the various Wildlife Management Area (WMA) tracts. Current timberland purchases have included timber cruise data to some extent. Any future timberland purchases should require a comprehensive timber inventory to aid in management plan development work. A timber cruise of 5% or better would provide sufficient data for plan development.

Current cruise data is being compiled on different WMA's annually as manpower allows. Cruises are being done on compartment entry schedules, at a 2.5 to 10% level.

Each Department-owned WMA will have growth monitoring plots established for general forest composition of the area and effects of past, present, and future management practices on vegetational diversity. Data will be collected at 5-10 year intervals from these plots with assistance from District personnel.

Upon establishment of the growth monitoring plots, a 10-year plan (entry schedule) will be developed in cooperation with the District. Each WMA will be subdivided into management units or compartments based on an entry schedule ranging from 10-20 years. A prescription (compartment plan) will be prepared for each unit upon entry and depict the management activities necessary to achieve compliance with the plan objective. Timber market conditions may cause a delay in implementation of annual plans.

Maps of each WMA will show management units or compartments (Appendix B), locations of natural areas, scenic streams, unique areas, greentree reservoirs, and areas occupied by endangered species.

Natural areas (where research-oriented or no forest management will be practiced) will be established on each WMA. Establishment of Natural Areas will provide that niche of habitat which is currently regarded/addressed with many uncertainties relative to the effects of man's manipulations in "managed" habitats. Unique areas will be preserved in their natural state. A Streamside Management Zone (SMZ) will be maintained along streams and perimeters of lakes. Timber removal in these buffers will be limited to 25% of total volume. Streams in the Scenic Rivers System will be treated to comply with the Scenic River's Act.

Prescribed burning will be practiced on suitable pine and pine-hardwood types to improve and promote habitat quality on such sites. All burning practices should follow a burn plan developed by the District Biologist in conjunction with the Wildlife Division Forester. All firelanes shall be established in a manner to prevent soil erosion problems (water bars and turn outs placed appropriately). Dormant and growing season burning will be practiced as site requirements dictate.

Roads will be managed to provide habitat diversity as well as reasonable access to the WMA's. All roads except primary thoroughfares will be managed and treated as openings, resulting in less maintenance cost and better wildlife habitat conditions. Additionally, when a timber harvest prescription promotes volume removal of over 50% in a stand adjacent to a primary thoroughfare, a buffer will be maintained following the harvest limitations for streamside buffers.

Greentree reservoirs or any specific areas which can be managed for waterfowl will be treated accordingly with emphasis on increasing waterfowl food supplies. This will entail maintenance of quality cavity trees and heavy thinning of non-preferred (by waterfowl) mast trees in order to increase waterfowl-desirable mast production and other duck foods such as smartweed, millets, sedges and panicums. The artificial flooding regime will be adjusted periodically to maintain vigor in the mast producing overstory, and/or promote regeneration of the stand. All

artificial flooding periods should reflect the historical overflow occurrence as much as possible.

Management plans will be coordinated with the Louisiana Natural Heritage Program to provide suitable habitat maintenance ~~and enhancement, if possible,~~ for endangered, threatened or state rare species occurring on the area.

In gathering data and developing plans, the Wildlife Division Forester will keep the District Supervisor, District Biologists, Area Supervisor, and Louisiana Natural Heritage Program Coordinator informed as to the progress of the plan. Upon plan completion, the Wildlife Division Forester will discuss it with the District Supervisor, District Biologists, Area Supervisor, Assistant Administrator and Administrator of the Wildlife Division.

#### METHODS

Commercial timber harvest is the most economical and only practical method of manipulating the vast acreages of forest habitat in Department ownership. However, some habitat work will be accomplished by Department personnel in commercially inoperative or prohibitive areas.

Combinations of single-tree, group selection and clearcut harvest systems will be used resulting in a reduction of inferior and cull trees, yet retaining sufficient den trees, and at the same time increasing food and cover for wildlife. A combination of selective thinning and clearcutting will maintain the species diversity of each area by not allowing shade tolerant species to dominate. Shade intolerant species, such as oaks, are usually favored in clear-cutting practices.

Shelterwood and clearcutting systems will be used as necessary in managing stands of limited species composition, with minimum desirable regeneration stocking, or as required to improve habitat conditions of specific wildlife. Shelterwood cutting will promote establishment of oak regeneration and allow it to develop (when given a suitable length of time between cuttings, dependent on site quality) to a competitive size, proper for final release and ensured representation in future stand. Clearcutting will be used only after establishment of advanced reproduction of hard mast producers has been ascertained. Without sufficient advance reproduction, the harvest practice may not foster the component of oak regeneration desired. Potential cavity trees will be retained in cluster formations as necessary to provide den/nest sites and escape cover.

Productive forest management as described above will increase vertical and horizontal diversity, browse and mast (hard and soft) production. The increase of these important food supplies will benefit deer, squirrel, rabbit, raccoon, turkey, waterfowl and many species of nongame wildlife. The increased ground cover resulting from timber cuttings will benefit rabbits and deer, and provide improved nesting and brooding habitat for the Wild Turkey. In addition to enhancing the establishment and growth of desirable mast producing trees, the described forest management will greatly improve the tree quality from a timber standpoint. Retention of dead wood components (standing snags, tree tops, unmerchantable logs, etc.) will be promoted to provide that habitat component where it is lacking.

## TIMBER SALES

Before a timber sale is made, total volume will be determined for pulpwood and sawlogs. Timber marking operations, following prescription recommendations prepared by the Wildlife Division Forester, will be carried out by the Wildlife Division Forester with assistance from District personnel.

After all timber to be sold has been tabulated, the Wildlife Division Forester will prepare a timber sale proposal (Appendix C). The Wildlife Division Forester, District Supervisor and District Biologists will discuss all aspects of the proposed timber sale and concur in the final stipulations. The proposal will then be submitted, along with a list of potential bidders, to the Division Assistant Administrator for approval and advertisement for bids. The District Supervisor and Area Supervisor will be furnished a copy of the timber sale proposal.

If acceptable bids are received and a contract awarded, the Wildlife Division Forester will contact the buyer to discuss aspects of the contract. The Wildlife Division Forester or his designee will visit the site periodically during timber harvest operations but, WMA personnel will be responsible for daily monitoring of the timber harvest operations.

The contractor will be instructed to contact the Wildlife Division Forester concerning problems which may arise during the contract period. If for some reason the cutting has to be terminated, the Wildlife Division Forester, or appropriate District personnel will contact the buyer or his agent.

Requests for contract extensions and performance deposit returns must first be approved by the District Supervisor and the Wildlife Division Forester with a written request made to the Division Assistant Administrator for final approval.

## INSECTS, DISEASES AND NATURAL DISASTERS

Division personnel should immediately alert the Wildlife Division Forester of any suspected insect or disease problem associated with the WMA forest resources. The Wildlife Division Forester will contact appropriate USDA Forest Insect and Disease Specialists to help investigate the occurrence.

Timber damage due to forest insect infestation or natural disaster (tornado, ice storm, etc.) should be reported to the Wildlife Division Forester for immediate action. The Wildlife Division Forester will, based upon inspection of the site, determine appropriate action to take regarding salvage of the damaged timber.

## CONTINUING EDUCATION

All Division personnel assigned to Department-owned WMA's will be involved with a combination in-house and extension oriented continuing education program covering all associated aspects of forest management relative to our WMA program. The Wildlife Division Forester will pursue available courses and development of specific courses to address concerns addressed by Division personnel.



## RESEARCH

Many habitat situations exist on Department owned lands, providing enormous opportunity for research to add to the scientific knowledge required for proper management of the diverse habitats represented. The Department will readily accept for review and possible establishment any research proposals for projects on WMA's. Forestry Section and District personnel will participate in all research activities as a means of continuing education.

Periodic reviews (every 10 years) of WMA entry schedules will allow an update of plans to utilize new research findings relative to the proper management of Department lands and continued adherence to meeting the general WMA plan objectives.

# State of Louisiana



Joe L. Herring  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Edwin W. Edwards  
Governor

November 16, 1994

## MEMORANDUM

TO: Jeff Schneider, Chairman  
J. B. Cormier  
Bert Jones  
Peter Vujnovich  
Perry Gisclair  
Jerald Hanchey  
Tee John Mialjevich

FROM: Joe L. Herring

RE: Catfish Task Force

The Department recommends the following composition of the Task Force instituted by the Commission at its meeting on October 6, 1994:

### A. Active voting members

- 6 Commercial catfishermen
- 6 Catfish dealers/processors
- 1 Representative Louisiana Wildlife Federation
- 2 Recreation <sup>and</sup> Catfishermen
- 1 Fish netting dealer
- 1 Representative of the Louisiana Restaurant Association
- 1 Representative of Louisiana Consumer League

### B. Ex-officio Advisory members

- 2 LSU Fishery Extension agents
- 1 LSU Catfish Biologist
- 1 LSU Economist
- 5 LDWF personnel consisting of:
  - 1 Enforcement Agent
  - 2 Fisheries Biologist (one of whom will serve as chairman)
  - 1 Economist
  - 1 Attorney
- 1 Representative Seafood Inspection Division, LDHHS

Page 2

LWFC

November 16, 1994

The Department further recommends that the proposed composition of the Task Force be placed on the agenda of the December 1, 1994 Commission meeting for consideration and adoption. Letters soliciting nominations for the positions indicated are prepared and can be sent out December 2, 1994. In light of the Christmas holiday period, the requested response date is December 30, 1994. The Department will then evaluate the nominations and submit a recommendation for membership to the Commission for its approval, along with a list of all persons nominated. It is anticipated that the recommendation will be prepared and circulated prior to the February meeting for Commission action on the formal appointment on February 5, 1995.

JLH/pc

C: William S. Perret  
Bennie F. Fontenot, Jr.

November 18, 1994

M E M O R A N D U M

TO: Bennie Fontenot  
FROM: Joe L. Herring  
RE: Catfish Task Force

Bennie, I talked to Jeff Schneider today and he said the info we faxed to him looks great, put it on the Commission agenda.

Thanks!

JLH/pc

C: Corky Perret

November 16, 1994

DRAFT-Do Not  
Distribute

M E M O R A N D U M

TO: Jeff Schneider, Chairman  
J. B. Cormier  
Bert Jones  
Peter Vujnovich  
Perry Gisclair  
Jerald Hanchey  
Tee John Mialjevich

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JLH/pc

C: William S. Perret  
Bennie F. Fontenot, Jr.

NOTICE OF INTENT

DEPARTMENT OF WILDLIFE AND FISHERIES  
WILDLIFE AND FISHERIES COMMISSION

The Louisiana Wildlife and Fisheries Commission hereby advertises its intent to amend the following rule on black bass (Micropterus spp.) on Eagle Lake located east of the Mississippi River in Madison Parish, Louisiana.

Title 76

Wildlife and Fisheries

Part VII. Fish and Other Aquatic Life

Chapter 1. Freshwater Sports and Commercial Fishing

Section 169. Black Bass Regulations, Eagle Lake

The size regulation for black bass (Micropterus spp.) on Eagle Lake located east of the Mississippi River in Madison Parish, Louisiana is as follows:

It shall be unlawful to take or possess, while on the water or while fishing in the water, black bass less than 14 inches total length on Eagle Lake, located east of the Mississippi River in Madison Parish, Louisiana. This rule will expire at midnight, April 2, 1996.

AUTHORITY NOTE: Promulgated in accordance with R.S. 56:6 (25)(a), 325 (C), 326.3.

HISTORICAL NOTE: Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR 19:909 (July 1993); amended LR .

Interested persons may submit written comments of the amended rule to Bennie Fontenot, Administrator, Inland Fish Division, Department of Wildlife and Fisheries, Box 98000, Baton Rouge, LA 70898-9000 no later than 4:30 p.m., Wednesday, February 1, 1995.





**MISSISSIPPI  
DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS**

**SAM POLLES, Ph.D  
Executive Director**

November 21, 1994 ✓

Mr. Bennie J. Fontenot Jr.  
Chief, Div. of Fish  
LA. Dept. of Wildlife and Fisheries  
P.O. Box 98000  
Baton Rouge, LA 70898

Dear Bennie:

We appreciate the opportunity to work with your Department on fish management recommendations in our reciprocal waters.

Eagle Lake is a very productive lake and receives heavy fishing pressure from both Louisiana and Mississippi anglers. With the implementation of the current 14-inch minimum size limit, the Mississippi Department of Wildlife, Fisheries and Parks (DWFP) has documented improvement in the bass populations.

In order for the bass population to continue this upward trend, it is imperative that the length limit regulation on Eagle Lake be extended for another year.

I would like to request that the 14-inch minimum size limit on Eagle Lake be extended for a period of a year. If this regulation is continued, Mississippi DWFP will monitor this important fishery resource and will keep your agency informed on this regulation's progress.

Sincerely,

A handwritten signature in dark ink, appearing to read "Ron Garavelli", written over a horizontal line.

Ron Garavelli, Director  
Bureau of Fisheries

## **DECLARATION OF EMERGENCY**

### **LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES**

#### **WILDLIFE AND FISHERIES COMMISSION**

In accordance with the emergency provisions of R.S. 49:953(B) and R.S. 49:967 of the Administrative Procedures Act which allows the Wildlife and Fisheries Commission to use emergency procedures to set shrimp seasons and R.S. 56:497 which provides that the Wildlife and Fisheries Commission shall fix no less than two open seasons each year for all inside waters and shall have the authority to open or close outside waters, the Wildlife and Fisheries Commission does hereby extend the 1994 Fall Inshore Shrimp Season in all the waters of Zone 1. The commission does also hereby set the closure of Zone 1 to be 12:01 a.m. February 1, 1995.

Zone 1 is that portion of Louisiana's inshore waters from the Mississippi State line westward to the eastern shore of South pass of the Mississippi River.

The Commission also hereby grants authority to the Secretary of the Department of Wildlife and Fisheries to change the closing date in Zone 1 or set any special seasons if biological and technical data indicate the need to do so or if enforcement problems develop.

John F. "Jeff" Schneider  
Chairman

Joe L. Herring  
Secretary

Mr. Michael Trosclair  
945C Florissant Hwy.  
St. Bernard, Louisiana 70085  
(504) 676-3758

November 29, 1994

Mr. Perret  
P. O. Box 98000  
Baton Rouge, Louisiana 70898

Dear Mr. Perret:

This fall has been a very hot one! We are starting to catch nice shrimp in the zone one area. It seems like the shallow water has a good many shrimp left inside the marshes of the zone one area, and they are steadily growing.

We the shrimpers in the zone one area are requesting an extension of the season until the first of February to give us a chance to harvest these large size shrimp. However, if shrimp should start running over one-hundred to the pound, we would seek immediate closure.

Thank You,



Mr. Michael Trosclair, Sr.

P. S. Please give each one of the commissioners a copy of this letter at the December 1st meeting.

REC'D

NOV 30 1994

ASST. SECRETARY  
OFFICE OF FISHERIES

Marine Fisheries Division  
Lyle St. Amant Marine Laboratory  
Research Projects  
December 1, 1994

Ongoing:

Hook-and-Release Mortality of Recreationally Caught Spotted  
Sea Trout and Red Drum

Objectives:

To determine what percentage of spotted seatrout and red drum survive after being caught with hook-and-line and then released.

Source of Funding: Finfish Conservation fund

Cost:

FY93/94 and FY94/95: Estimated \$200,000 per year

Results:

From July 1, 1993 to December 31, 1993, 282 spotted seatrout and 225 red drum were collected and placed in holding tanks. From January 1, 1994, to November 15, 1994, 1194 spotted seatrout and 346 red drum were collected and placed in holding tanks. Data collection will continue until the end of 1994. Difference in mortality for spotted seatrout between years was noticed; this is currently believed to be because in 1993 mostly sub-legal fish were caught, and in 1994 larger females were caught. Data is currently being computerized so it can be analyzed to determine if this hypothesis can be substantiated.

Development of and Age and Growth Laboratory

Objectives:

To develop and age-length key for spotted seatrout and red drum; to determine fecundity at age for spotted seatrout and red drum.

Source of Funding: Federal Wallop-Breaux and Finfish Conservation fund

Cost:

FY93/94 Actual: \$191,079

FY94/95 Budgeted: \$186,877

Results:

Otoliths from 1,202 red drum have been collected since January 1993; 1,042 of these otoliths have been sectioned and prepared for aging; these otoliths will be aged during Dec. 1994 - March 1995.

Otoliths from 2,363 spotted seatrout have been collected since January 1993; 935 of these otoliths have been sectioned and prepared for aging; these otoliths will be aged during Dec. 1994 - March 1995. Collection and processing of otoliths continues.

## Future Marine Laboratory projects:

### Commercial Netting Mortality of Non-legal Spotted Sea Trout and Red Drum

Objectives: To determine what percentage of spotted seatrout and red drum survive after being caught with commercial nets and then released.

Source of Funding: Finfish Conservation fund

Projected Cost : \$200,000 per year for 2 years

### Age Determination of Important Marine Finfish for Use in Stock Assessments

Objectives: To develop an age-length key for all important marine finfish managed by the Marine Fisheries Division; to determine fecundity at age for those species.

Source of Funding: Federal Wallop-Breaux and Finfish Conservation fund

Projected Cost per year: \$100,000 Wallop-Breaux funds;  
\$80,000 finfish conservation funds

### \* Evaluation of Different types of Substrates as Oyster Cultch

Objectives: To test various types of hard substrate, i.e., gravel, crushed concrete, limestone, etc. as to their effectiveness in attracting oyster spat.

Source of Funding: Nonfinfish Conservation fund

Projected Cost : \$100,000 per year for 3 years

\* Initiated

### Impact of Artificial Reefs on Reeffish Populations

Objectives: To determine if artificial reefs enhance reeffish populations or simply attract existing fish

Source of Funding: Artificial Reef fund

Projected Cost: \$200,000 per year for 3 years

### Oil Spill Response

Objectives:

To develop capability to evaluate environmental damage caused by oil spills

Source of Funding: State Oil Spill Funds

Projected Cost: \$10,000

### Monitoring Stranding of Endangered Turtles

Objectives: To monitor turtle mortalities in the Barataria Bay system

Source of Funding: Federal

Projected Cost: \$50,000 per year

Davis Pond Monitoring:

Objectives: To do the pre-construction environmental  
monitoring for the Davis Pond Project

Source of Funding: Federal

Projected Cost: \$250,000 per year

Marine Fisheries Division  
Lyle St. Amant Marine Laboratory  
Cooperative Projects/Activities  
December 1, 1994

- ▶ Support activities of Coastal Area 3
- ▶ Housing and meals for Enforcement Strike Team
- ▶ Support activities of Oyster Survey teams
- ▶ Support activities of LOOP Section
- ▶ USDA Bee Quarantine Station
- ▶ Ponds for a Soil Conservation Service use in growing marsh plants for coastal restoration
- ▶ Support Corps of Engineer activities for restoration of Grand Terre Island
- ▶ 4H Marsh Maneuvers use of Dormitory during June and July for education of high school students, including lectures and field trips by Lab personnel
- ▶ LSU CFI use of ponds to hold red drum used in genetic experiments
- ▶ LSU CFI use of ponds for study of the effects of gypsum on marine organisms
- ▶ LSU CFI use of facilities to support ecological study of flounders and other flatfish
- ▶ LSU CFI use of facilities to support study of the effects of water currents on distribution of crab megalops
- ▶ LSU use of facilities for field trips by Coastal Ecology class

Marine Fisheries Division  
Lyle St. Amant Marine Laboratory  
Personnel  
December 1, 1994

Classification: Programs Manager

Job Description:

Establish and enforce policy for operation of Marine Lab; prepare budget, approve expenditures, make recommendations for hiring personnel; coordinate with administrators and other Program Managers to determine what research should be conducted at the Marine Lab; help develop, and approve research procedures; prepare analyses and reports, and gather information required to make fisheries management decisions; participate in task forces and committees involved in marine fisheries management; assist in conduct of research projects.

Salary: \$48,384 / year

Classification: Program Supervisor

Job Description:

Operational supervisor for Marine Lab; supervise personnel on a day-to-day basis; determine work schedules; submit routine reports, forms, timesheets, and logs; supervise purchasing activities; direct Technicians while they are working on maintenance activities; monitor the work of vendors and authorized dealers and repairmen working on Marine Lab facilities or equipment; assist in conduct of research projects.

Salary: \$36,408 / year

Classification: Biologist Project Leader

Job Description:

Supervise research projects conducted at the Marine Lab; help determine procedures for research projects; direct Technicians while they are working on research activities; insure that research projects are being carried out according to established procedures; coordinate the activities of non-Lab researchers who are using Marine Lab facilities; assist in conduct of research projects.

Salary: \$28,256

Classification: Marine Fisheries Technician 3

Job Description:

Work on research projects: for Age and Growth Laboratory - sample, extract otoliths from fish, prepare otoliths for sectioning, section and polish otoliths, read ages of fish from otoliths; for Hook-and-Release Project - sample as per project procedures, transport fish to lab, monitor condition of fish; enter data obtained in computerized database. Assist in maintenance and cleaning of Lab and dormitory facilities.

Salary: \$17,064



Classification: Marine Fisheries Technician 3

Job Description:

Work on research projects: for Age and Growth Laboratory - sample, extract otoliths from fish, prepare otoliths for sectioning, section and polish otoliths, read ages of fish from otoliths; for Hook-and-Release Project - sample as per project procedures, transport fish to lab, monitor condition of fish; enter data obtained in computerized database. Assist in maintenance and cleaning of Lab and dormitory facilities.

Salary: \$16,404

Classification: Marine Fisheries Technician 2

Job Description:

Work on research projects: for Age and Growth Laboratory - sample, extract otoliths from fish, prepare otoliths for sectioning, section and polish otoliths, read ages of fish from otoliths; for Hook-and-Release Project - sample as per project procedures, transport fish to lab, monitor condition of fish; enter data obtained in computerized database. Assist in maintenance and cleaning of Lab and dormitory facilities.

Salary: \$14,328

Classification: Marine Fisheries Technician 2

Job Description:

"Week-end Person"; Work Friday-Monday; provide weekend security for Lab; monitor status of ongoing research projects, i.e., operation of pumps, condition of fish; transport personnel and visitors to and from lab; perform outdoor maintenance, i.e., cutting grass; clean dormitories.

Salary: \$14,904

Classification: Marine Fisheries Technician 2

Job Description:

Assist in research projects; perform outdoor maintenance; assist in cleaning dormitories; operate vessels for research personnel and to transport visitors to and from Lab.

Salary: \$13,776

Classification: Marine Fisheries Technician 1

Job Description:

Assist in research projects; perform outdoor maintenance; assist in cleaning dormitories; operate vessels for research personnel and to transport visitors to and from Lab.

Salary: \$12,786

Marine Fishing License Funds  
December 1, 1994

	Total Collections	Total* Expenditures	Lab project Hook Mort.	Lab project Age/Growth	Unfunded Enhancement Requests
FY92/93	\$1,747,802	\$1,088,622	\$ 0	\$ 0	\$ 779,720
FY93/94	1,790,418	1,439,523	200,000**	71,452**	826,862
FY94/95	1,648,072**	1,400,000**	200,000**	75,666**	1,000,446
FY95/96	1,746,917**	1,400,000**	200,000**	75,000**	1,007,957

Details of Unfunded Enhancement Requests

FY92/93:		FY94/95:	
Finfish equipment	\$ 21,100	Finfish equipment	\$ 403,675
Creel Survey Project	318,595	Creel Survey Project	324,547
Coastal Study Area (50%)	183,588	Coastal Study Area (50%)	183,588
Stock Assessment Section	238,254	Trip Tickets	88,636
Area 7 Clerical	18,183	Total	1,000,466
Total	779,720		
FY93/94:		FY95/96**:	
Finfish equipment	\$ 97,575	Finfish equipment	\$ 393,186
Creel Survey Project	324,547	Creel Survey Project	342,547
Coastal Study Area (50%)	183,588	Coastal Study Area (50%)	183,588
Stock Assessment Section	202,969	Trip Tickets	88,636
Area 7 Clerical	18,183	Total	1,007,957
Total	826,862		

\* Finfish Field Activities/Stock Assessment Activities are approximately \$1,150,000 annually  
 \*\* Estimated  
 \*\*\* Requested Finfish funds, subsequently required to request General Funds

# State of Louisiana



Joe L. Herring  
Secretary

William S. "Corky" Perret  
Assistant Secretary

Department of Wildlife and Fisheries  
Office of Fisheries  
P.O. Box 98000  
Baton Rouge, LA 70898-9000  
504/765-~~2384~~ 2370

Edwin W. Edwards  
Governor

November 29, 1994

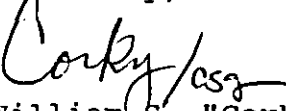
Mr. Bert Jones  
La. Wildlife & Fisheries  
Commission Member  
P. O. Box 248  
Simsboro, LA 71275

RE: Grand Terre Lab Projects & Marine Fishing  
License Funds

Dear Bert:

Attached please find the information you requested relative to the above subject. We have attempted to respond to your questions and provide the information in the order listed in your letter of November 18, 1994. We will, of course, be available at the Commission meeting for any additional discussion.

Sincerely,

  
William S. "Corky" Perret

WSP:csg  
cc: Commission Members  
Joe Herring  
Fred Prejean

**BERT H. JONES**

P.O. BOX 248  
SIMSBORO, LA. 71275  
318/247-3741

November 18, 1994

Mr. Corky Perret  
Assistant Secretary, Fisheries  
Department of Wildlife and Fisheries  
2000 Quail Drive  
Baton Rouge LA 70808

RE: Grand Terre Lab Projects & Marine Fishing License Funds

Dear Corky:

Would you please have the following information for me and the Commission at the December meeting.

Grand Terre Lab:

1. A list of all projects undertaken since the lab was reopened, including the objectives and results
2. The cost of each project, budget and actual
3. The source of funds for each project
4. A list of future projects with the same information in 1, 2, and 3 above
5. A list of all employees of Grand Terre, their job descriptions and salaries

Marine Fishing License Funds:

1. The total amount of money collected and spent from this fund since the present administration took office
2. Which projects at Grand Terre were funded with this money source with a breakdown of the dollar amount of each
3. Any proposed projects at Grand Terre using these funds and the amounts proposed for each
4. Proposed use of these funds, excluding Grand Terre

Sincerely,

*Bert Jones*  
Bert Jones

cc: Joe Herring, Fred Prejean, Commission Members

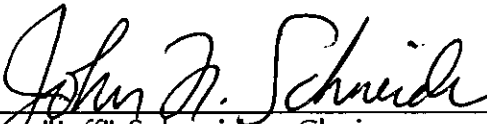
RECEIVED  
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U.S. DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

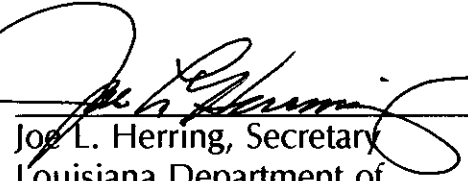
**RESOLUTION**  
**WILDLIFE AND FISHERIES COMMISSION**  
**DEPARTMENT OF WILDLIFE AND FISHERIES**

December 1, 1994

- WHEREAS,** the Commission, at its regular meeting of October 6, 1994 voted upon and passed a Declaration of Emergency and accompanying Resolution and Emergency Rule reducing the size limit for the take of channel catfish and establishing a paid permit system to allow the take of channel catfish between 8" and 11" by permittees within the specified area, and;
- WHEREAS,** it has been brought to the attention of the Commission that the Declaration of Emergency it passed was defective in that facts sufficient to establish an emergency within the meaning of LA R.S. 49:953(B), were not established, and;
- WHEREAS,** it has further been brought to the attention of the Commission that no statutory basis exists for the establishment of a paid permit system for the taking of catfish under the 11" minimum size proscribed by statute, and;
- WHEREAS,** it has been brought to the attention of the Commission that the Joint House and Senate Natural Resources Committee having oversight power over Commission action has found that the Declaration of Emergency previously enacted by the Commission is without basis and that no statutory basis exists for the paid permit system established by the Resolution and Emergency Rule and has requested that the Commission revoke and rescind the previous actions, and;
- WHEREAS,** at its November 3, 1994 meeting, the Commission by resolution revoked and repealed the October 6 Declaration of Emergency, and;
- WHEREAS,** subsequently, legal questions have been raised concerning the validity of that action; and counsel has recommended that further action is advisable to resolve these questions.

**NOW, THEREFORE BE IT RESOLVED**, this Commission does hereby ratify its November action, revoking and repealing the October 6 Declaration of Emergency, and further toward that same end hereby passes and approves the attached Declaration of Emergency.

  
\_\_\_\_\_  
John "Jeff" Schneider, Chairman  
Louisiana Wildlife and Fisheries  
Commission

  
\_\_\_\_\_  
Joe L. Herring, Secretary  
Louisiana Department of  
Wildlife and Fisheries

**RESOLUTION  
WILDLIFE AND FISHERIES COMMISSION  
DEPARTMENT OF WILDLIFE AND FISHERIES**

December 1, 1994

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- WHEREAS,** it has been brought to the attention of the Commission that the Joint House and Senate Natural Resources Committee having oversight power over Commission action has found that the Declaration of Emergency previously enacted by the Commission is without basis and that no statutory basis exists for the paid permit system established by the Resolution and Emergency Rule and has requested that the Commission revoke and rescind the previous actions, and;
- WHEREAS,** at its November 3, 1994 meeting, the Commission by resolution revoked and repealed the October 6 Declaration of Emergency, and;
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---

John "Jeff" Schneider, Chairman  
Louisiana Wildlife and Fisheries  
Commission

---

Joe L. Herring, Secretary  
Louisiana Department of  
Wildlife and Fisheries



## **DECLARATION OF EMERGENCY**

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act, the Wildlife and Fisheries Commission hereby finds that an imminent peril to the public welfare exists and accordingly adopts the following emergency rule:

The Declaration of Emergency promulgated by the Wildlife and Fisheries Commission on October 6, 1994, and published in the Louisiana Register on October 20, 1994 at page 1091-2, Vol. 20, No. 10 is hereby repealed, rescinded and annulled. The effect of this repeal is to repeal the permitted taking of channel catfish under 11" and to reestablish the statutorily set size limit of 11" for channel catfish.

At its November 2, 1994 Legislative Oversight meeting, the Joint House and Senate Natural Resources Committee found certain statutory deficiencies in the October 6 Declaration of Emergency and went on record officially asking the Commission to immediately rescind it. This Declaration of Emergency is necessary to accomplish that action and remove any statutory deficiencies that may have occurred with the promulgation of the October 6 Declaration of Emergency.

John F. "Jeff" Schneider  
Chairman

# State of Louisiana



**Joe L. Herring**  
Secretary

**Department of Wildlife and Fisheries**  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

**Edwin W. Edwards**  
Governor

November 29, 1994

TO: Joe L. Herring  
Commissioners  
Corky Perret  
Bennie Fontenot

FROM: Donald E. Puckett

SUBJ: Channel Catfish

A handwritten signature in black ink, appearing to read "D. Puckett", written over the printed name.

~~~~~

Commissioner Mialjevich has raised legal issues relative to the November action rescinding the October Declaration of Emergency. Therefore, out of an abundance of caution, I have recommended that the Commission address this issue again at its December meeting. Toward that end, I have prepared the attached Resolution and Declaration of Emergency for your review. Please note these drafts may be subject to some amendment prior to the Commission meeting.

c: Bob Dennie  
Susan Hawkins

# State of Louisiana




Joe L. Herring  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Edwin W. Edwards  
Governor

November 28, 1994

TO: Joe L. Herring  
FROM: Donald E. Puckett   
SUBJ: Commission Authority

~~~~~  
It is my opinion that the Commission does not have the constitutional or statutory authority to implement a moratorium on the issuance of specific types (classes) of gear licenses.

c: Commission Members  
Corky Perret  
John Roussel

## DECLARATION OF EMERGENCY

Department of Wildlife and Fisheries  
Wildlife and Fisheries Commission

In accordance with the emergency provisions of R.S. 49:953(B) of the Administrative Procedure Act, and under the authority of R.S. 56:301.5, the Wildlife and Fisheries Commission hereby finds that an imminent peril to the public welfare <sup>et seq</sup> exists and accordingly adopts the following emergency rule:

No new gear licenses for saltwater gill nets, trammel nets or seines shall be issued pending the establishment by the Legislature of a limited entry program for these gears; provided, however, that the Department shall issue renewal licenses to those individuals, persons, firms or corporations currently holding valid licenses for the above enumerated gear.

The Commission finds that sales of the above gear are increasing at a significant level and even greater levels of sales are anticipated in the near future, which could have negative social, economic and management implications for those fisheries utilizing these gears, and which will have negative economic impacts on the fishermen currently using these gears, both of which constitute an imminent peril to the public welfare of the State. This prohibition on the issuance on new licenses for the above enumerated gear shall remain in effect until a limited entry program is adopted by the Louisiana Legislature.

John "Jeff" Schneider  
Chairman

**NOTICE OF INTENT  
DEPARTMENT OF WILDLIFE AND FISHERIES  
WILDLIFE AND FISHERIES COMMISSION**

**TITLE 76  
WILDLIFE AND FISHERIES**

**PART VII. FISH AND OTHER AQUATIC LIFE**

**CHAPTER 3. SALTWATER SPORT AND COMMERCIAL FISHING**

**SECTION 347. LICENSE MORATORIUM: SALTWATER GILL NETS, TRAMMEL  
NETS AND SEINES**

The Wildlife and Fisheries Commission does hereby give notice of its intent to promulgate a rule to prohibit the issuance of new gear licenses for saltwater gill nets, trammel nets and seines pending the establishment by the Legislature of a limited entry program for these gears; provided, however, that the Department shall issue renewal licenses to those individuals currently holding valid licenses for the above enumerated gear.

Interested persons may submit written comments relative to the proposed rule until 4:30 p.m., January 3, 1995 to John Roussel, Department of Wildlife and Fisheries, Post Office Box 98000, Baton Rouge, LA 70898-9000.

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 56:301.5.

**HISTORICAL NOTE:** Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR : ( ).

**John "Jeff" Schneider  
Chairman**

**RULE**  
**DEPARTMENT OF WILDLIFE AND FISHERIES**  
**WILDLIFE AND FISHERIES COMMISSION**

**TITLE 76**  
**WILDLIFE AND FISHERIES**

**PART VII. FISH AND OTHER AQUATIC LIFE**

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John "Jeff" Schneider  
Chairman

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 56:301.5.

**HISTORICAL NOTE:** Promulgated by the Department of Wildlife and Fisheries, Wildlife and Fisheries Commission, LR : ( ).

Resolution  
Louisiana Wildlife and Fisheries Commission  
November 3, 1994

WHEREAS, the Louisiana Wildlife and Fisheries Commission is charged with the regulation of fish and wildlife resources within the state of Louisiana, and

WHEREAS, participation in the commercial harvest of several species of finfish have recently increased, causing concern that future increases in participation may also occur, and

WHEREAS, such future increases may adversely affect the economic welfare of the current participants in these fisheries, and

WHEREAS, it is in the best interest of the state to regulate its fisheries to help assure that benefits from the employment, social and economic aspects from the fisheries to the State are maximized, and

WHEREAS, any attempts to develop a comprehensive limited entry program within these fisheries would be complicated by a surge of new applicants,

THEREFORE BE IT RESOLVED that the Louisiana Wildlife and Fisheries Commission hereby declares that an emergency exists, and directs that the Department of Wildlife and Fisheries place a moratorium on the issuance of additional licenses for the use of saltwater gill nets, trammel nets, or fish seines. Such moratorium to provide that only those participants who can demonstrate that they have purchased such licenses from the Department prior to November 15, 1994, for the 1994 calendar year, and in addition can demonstrate that they purchased such licenses from the Department in one of the two prior years (1992 and 1993), shall be sold such licenses as they have previously purchased.

BE IT FURTHER RESOLVED, that there shall be created a Review Board under the direction of the Secretary of the Department of Wildlife and Fisheries to review appeals of persons who are denied the purchase of those licenses.

BE IT FURTHER RESOLVED, that the complete Declaration of Emergency and Notice of Intent to establish a Rule, to be effective until a permanent entry limitation system has been established, are attached to and made part of this Resolution.

BE IT FURTHER RESOLVED, that the Limited Entry Committee of the Commission shall develop recommendations for consideration by the full Commission, of options for future management of participation in commercial finfisheries. These options shall be developed and refined through a series of public meetings, and a full report shall be made no later than the April Commission meeting. If it is determined that the Commission does not have full constitutional or statutory authority to implement options selected by the

Commission, the Commission shall request that the Louisiana Legislature either establish implementing statutes, or give the Commission authority to establish and maintain such management options.



## Declaration of Emergency

In accordance with the powers invested in the Wildlife and Fisheries Commission by R.S. 56:6(10), and other applicable law, the Wildlife and Fisheries Commission hereby finds that a state of emergency exists, and declares that a moratorium shall be placed on the issuance of additional licenses for saltwater gill nets, trammel nets, and fish seines. Rules for issuance of licenses during this moratorium shall be as follows:

A. No saltwater gill net, trammel net, or fish seine license shall be issued except as follows:

- 1) to persons, firms, or corporations who have purchased a Louisiana commercial gear license for that same gear type during 1994, prior to November 15, and also have purchased a Louisiana commercial gear license for that same gear type during at least one of the two prior years (1992 or 1993). No criteria other than prior licensing will be accepted for determining the privilege to purchase these gear licenses.

- 2) Persons, firms or corporations wishing to purchase a fish seine and vessel license in 1995 must have purchased both a fish seine and vessel license in both years used for qualification.

- 3) Persons, firms or corporations wishing to purchase a trammel net and vessel license in 1995 must have purchased both a trammel net and vessel license in both years used for qualification.

- 4) Persons, firms or corporations wishing to purchase a saltwater gill net license in 1995 must have purchased a saltwater gill net license in both years used for qualification.

B. The total number of gear licenses of any type issued in any year shall be no more than the total number of licenses of that type issued in 1994, whose holders also were issued a comparable license between 1992 and 1993, inclusive.

C. Each person shall be limited to purchasing no more licenses of each type considered by this Rule, for the duration of this Rule, than he did during the years which are used for determination of recent participation.

E. No rights, either stated or implied, are given by this Declaration or any ensuing rule, for any person to continue operating in any fishery or using any gear covered by this Declaration of Emergency at any future time.

F. Review Board.

1) The Secretary of the Department of Wildlife and Fisheries shall appoint a Review Board, composed of five persons familiar with licensing protocols, legal issues, and persons involved in commercial finfisheries, to review appeals of persons who are denied the purchase of those licenses.

2) This Board shall consider evidence as may be presented, to determine if such licenses should be issued to any such person. However, the criteria for issuance of such a license shall be that the person applying for the license shall have purchased such a license in two of the three previous years, as described in Section B, above.

3) This Board shall hold hearings to determine the validity of such claims, based on criteria developed by the Department.

4) This Board shall make recommendations on issuance of licenses to the Secretary in disputed cases. In no case, however, may additional licenses be issued, over and above the number of licenses for each gear issued to persons for two of the years between 1992 and 1994, inclusive, as described in Section B, above.

**CIVIL RESTITUTION REPORT  
DECEMBER COMMISSION MEETING**

During the months of October and November 137 cases were assessed for a civil restitution value of \$121,018; during these two months we received payment on 83 cases totalling \$12,896.

The majority of the changes to the computer system relative to confiscated goods and adjudications have been made, with the remainder to be completed within 2-4 weeks.

MONTHLY CIVIL RESTITUTION REPORT

PERIOD	NO. CASES ASSESSED	AMOUNT ASSESSED	CREDIT FOR SALE GOODS	NO. CASES PAID	AMOUNT PAID	DISCOUNTS TAKEN
July, 1992	105	26,553	(10,515)	103	5,578	
Aug, 1992	137	26,153	(3,241)	95	5,292	
Sept, 1992	214	34,341	(3,245)	82	6,186	
Oct, 1992	346	238,388	(19,670)	119	8,310	292
Nov, 1992	34	17,264		220	11,744	4,651
Dec, 1992	122	76,371	(7,012)	97	5,042	1,275
Jan, 1993	77	35,470	(979)	75	7,389	3,799
Feb, 1993	40	10,787		81	13,141	6,941
March, 1993	37	15,552	(1,876)	60	13,479	5,848
April, 1993	24	8,418	(10,809)	31	5,000	2,379
May, 1993	21	16,063	(1,599)	39	5,704	2,381
June, 1993	40	23,637	(7,454)	27	8,356	4,077
Total FY 93	1,197	528,997	(66,400)	1,029	95,221	31,643

July, 1993	25	21,039	(9,778)	29	4,855	2,545
August, 1993	53	44,922	(1,137)	41	7,950	3,603
Sept., 1993	42	137,635	(17,938)	35	6,783	3,048
October, 1993	49	21,471	(11,282)	40	3,285	1,519
Nov., 1993	57	31,207	(13,260)	32	3,053	2,845
Dec., 1993	53	13,777	0	27	6,507	6,713
Jan., 1994	38	18,918	0	32	4,423	2,831
Feb., 1994	68	38,131	(8,238)	46	9,124	5,993
March, 1994	38	22,739	(2,482)	51	10,854	6,796
April, 1994	14	44,732	(1,404)	27	7,307	4,632
May, 1994	10	4,504	(165)	7	5,447	3,808
June, 1994	29	26,167	(2,986)	12	1,886	1,214
Total FY 94	476	425,242	(68,670)	379	71,474	45,547

FISCAL YEAR 1994-95

July, 1994	17	2,127	(335)	23	2,101	1,437
August, 1994	41	96,403	(3,035)	20	1,010	605
Sept., 1994	34	14,614	(14,002)	26	2,596	2,342
Oct., 1994	94	17,426	(8,677)	38	2,922	3,179
Nov., 1994	43	103,592	0	45	3,992	2,803

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
CIVIL RESTITUTION ACTIVITY REPORT

DATE: 30-NOV-1994

CURRENT MONTH  
11/01/1994 TO 11/30/1994FISCAL YEAR TO DATE  
07/01/1994 TO 11/30/1994INCEPTION TO DATE  
11/30/1994ORIG RESTITUTION VALUES ENTERED  
SALE OF CONFISCATED COMMODS  
SALES EXCEEDING RESTITUTION

# CASES	AMOUNT	# CASES	AMOUNT	# CASES	AMOUNT
43	\$103,591.80	229	\$234,162.11	2,243	\$1,514,788.23
0	\$0.00	39	\$26,048.25-	337	\$273,704.35-
0	\$0.00	21	\$12,801.54	153	\$73,437.41

## RESTITUTION ASSESSED

43	\$103,591.80	229	\$220,915.40	2,243	\$1,314,521.29
PAYMENTS					
OVERPAYMENTS	45	142	\$12,620.80-	1,397	\$187,824.19-
DISCOUNTS FOR TIMELY PAYMENTS	3	9	\$506.80	39	\$709.80
REFUNDS	42	132	\$10,366.57-	789	\$89,960.02-
APPLIED CONFISCATED COMMODS	2	6	\$504.89	16	\$4,306.58
REMUNERATION REFUNDS	0	0	\$0.00	0	\$0.00
RETURNED CHECKS	0	1	\$14,599.90	5	\$26,374.25
MISC. ADJUSTMENTS	0	0	\$0.00	1	\$0.80
DEBITS	0	0	\$0.00	1	\$15.00
CREDITS	0	0	\$0.00	0	\$0.00
REASSESSMENTS	0	0	\$0.00	0	\$0.00
DEBITS	0	1	\$467.81	13	\$3,469.15
CREDITS	0	2	\$624.21-	37	\$10,687.01-
ADJUST VIOLATION	0	0	\$0.00	0	\$0.00
DEBITS	0	0	\$0.00	0	\$0.00
CREDITS	0	0	\$0.00	0	\$0.00
WRITE-OFFS	0	1	\$0.01-	182	\$269,050.55-
ASSESSMENTS WITHDRAWN	0	1	\$288.00-	5	\$874.70-
CASES VOIDED BY ENFORCEMENT	0	0	\$0.00	2	\$97.80-
** TOTAL OUTSTANDING				582	\$790,902.60

## FOOTNOTE:

PAYMENTS FROM COLLECTION EFFORT  
AMOUNT PAID TO COLLECTOR

0	\$0.00	0	\$0.00	32	\$10,560.13
	\$0.00		\$0.00		\$2,640.03

## AGING OF OUTSTANDING CASES

CAN NOT BE INVOICED	AGING OF OUTSTANDING CASES	CASES	AMOUNT
1 - 30 DAYS	10	10	\$2,603.33
31 - 60 DAYS	35	35	\$101,103.59
61 - 90 DAYS	26	26	\$16,974.56
91 - 120 DAYS	6	6	\$4,665.50
121 - 150 DAYS	19	19	\$91,474.30
151 - 180 DAYS	6	6	\$513.00
181 - 365 DAYS	3	3	\$8,402.16
CASES SENT FOR COLLECTION	88	88	\$69,865.40
OVER 1 YEAR PENDING	0	0	\$0.00
OVER 1 YEAR (OTHER)	389	389	\$495,300.76

## \*\* TOTAL AGING

582 \$790,902.60

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
CIVIL RESTITUTION ACTIVITY REPORT

DATE: 1-NOV-1994

CURRENT MONTH 10/01/1994 TO 10/31/1994 FISCAL YEAR TO DATE 07/01/1994 TO 10/31/1994 INCEPTION TO DATE 10/31/1994

ORIG RESTITUTION VALUES ENTERED  
SALE OF CONFISCATED COMMODS  
SALES EXCEEDING RESTITUTION

# CASES	AMOUNT	# CASES	AMOUNT	# CASES	AMOUNT
94	\$17,425.76	186	\$130,570.31	2,200	\$1,411,196.43
17	\$8,676.55-	39	\$26,048.25-	337	\$273,704.35-
6	\$2,793.84	21	\$12,801.54	153	\$73,437.41

## RESTITUTION ASSESSED

94	\$11,543.05	186	\$117,323.60	2,200	\$1,210,929.49
PAYMENTS					
OVERPAYMENTS					
DISCOUNTS FOR TIMELY PAYMENTS					
REFUNDS					
RENUMERATION REFUNDS					
RETURNED CHECKS					
MISC. ADJUSTMENTS					
DEBITS					
CREDITS					
REASSESSMENTS					
DEBITS					
CREDITS					
ADJUST VIOLATION					
DEBITS					
CREDITS					
WRITE-OFFS					
ASSESSMENTS WITHDRAWN					
CASES VOIDED BY ENFORCEMENT					
579	\$694,021.55				

\*\* TOTAL OUTSTANDING

## FOOTNOTE:

PAYMENTS FROM COLLECTION EFFORT  
AMOUNT PAID TO COLLECTOR

0	\$0.00	0	\$0.00	32	\$10,560.13
	\$0.00		\$0.00		\$2,640.03

AGING OF OUTSTANDING CASES  
CAN NOT BE INVOICED

1 - 30 DAYS	2	\$139.50
31 - 60 DAYS	64	\$8,033.25
61 - 90 DAYS	8	\$20,057.93
91 - 120 DAYS	19	\$91,474.30
121 - 150 DAYS	6	\$513.00
151 - 180 DAYS	3	\$8,402.16
181 - 365 DAYS	3	\$1,250.24
CASES SENT FOR COLLECTION	103	\$74,795.31
OVER 1 YEAR PENDING	0	\$0.00
OVER 1 YEAR (OTHER)	371	\$489,355.86

\*\* TOTAL AGING

579 \$694,021.55

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
CLASS I ACTIVITY REPORT

DATE: 30-NOV-1994

	CURRENT MONTH 11/01/1994 TO 11/30/1994		FISCAL YEAR TO DATE 07/01/1994 TO 11/30/1994		INCEPTION TO DATE 11/30/1994	
	# CASES	AMOUNT	# CASES	AMOUNT	# CASES	AMOUNT
FINES	246	\$12,350.00	3,225	\$165,705.00	36,462	\$1,849,052.07
HEARING COSTS						
DEBITS	136	\$3,400.00	969	\$24,202.00	8,504	\$212,582.00
CREDITS	0	\$25.00-	0	\$225.00-	0	\$900.00
TOTAL DUE		\$15,725.00		\$189,682.00		\$2,060,734.07

Paid in Full	373	\$18,875.00-	2,190	\$112,047.75-	18,901	\$965,520.25-
Partial Payments	14	\$565.66-	115	\$4,881.08-	522	\$22,520.34-
Overpayments	2	\$100.00	24	\$1,172.75	284	\$13,072.43
Refunds	1	\$50.00	6	\$275.00	45	\$2,783.00
Returned Checks	0	\$0.00	4	\$200.00	23	\$1,150.00
Misc Changes						
Debits	0	\$0.00	4	\$80.00	23	\$370.00
Credits	6	\$4.34-	18	\$13.67-	97	\$99.07-
Adjustments to Violation						
Debits	0	\$0.00	6	\$400.00	52	\$2,950.00
Credits	0	\$0.00	1	\$0.00	6	\$250.00-
Voids	13	\$550.00-	232	\$9,820.25-	1,725	\$69,056.88-
Not Guilty	12	\$600.00-	65	\$2,800.00-	333	\$16,525.00-

TOTAL OUTSTANDING

\$1,007,087.96

AGING OF OUTSTANDING CASES  
FROM CITATION DATE

0 - 30 DAYS	136	\$6,850.00
31 - 60 DAYS	204	\$10,450.00
61 - 90 DAYS	180	\$9,655.00
91 - 120 DAYS	290	\$15,696.00
121 - 150 DAYS	526	\$28,105.00
151 - 180 DAYS	433	\$23,445.00
181 - 365 DAYS	1,637	\$109,476.50
OVER 1 YEAR UNCOLLECTABLE	0	\$0.00
OVER 1 YEAR PENDING	0	\$0.00
OVER 1 YEAR (OTHER)	12,344	\$803,435.46

AGING OF OUTSTANDING CASES  
FROM HEARING DATE

PRE HEARING	325	\$16,450.00
0 - 90 DAYS	3,133	\$162,101.00
91 - 180 DAYS	1,267	\$84,921.50
181 - 270 DAYS	627	\$41,855.00
271 - 365 DAYS	1	\$50.00
OVER 1 YEAR UNCOLLECTABLE	0	\$0.00
OVER 1 YEAR PENDING	0	\$0.00
OVER 1 YEAR (OTHER)	10,397	\$701,735.46

LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES  
CLASS I ACTIVITY REPORT

DATE: 1-NOV-1994

FINES  
HEARING COSTS  
DEBITS  
CREDITS

TOTAL DUE

\$15,900.00

\$173,907.00

\$2,044,959.07

CURRENT MONTH 10/01/1994 TO 10/31/1994		FISCAL YEAR TO DATE 07/01/1994 TO 10/31/1994		INCEPTION TO DATE 10/31/1994	
# CASES	AMOUNT	# CASES	AMOUNT	# CASES	AMOUNT
313	\$15,850.00	2,979	\$153,305.00	36,216	\$1,836,652.07
2	\$50.00	833	\$20,802.00	8,368	\$209,182.00
0	\$0.00	0	\$200.00-	0	\$875.00-

PAID IN FULL  
PARTIAL PAYMENTS  
OVERPAYMENTS  
REFUNDS  
RETURNED CHECKS  
MISC CHANGES  
DEBITS  
CREDITS  
ADJUSTMENTS TO VIOLATION  
VOIDS  
NOT GUILTY

197	\$10,250.50-	1,812	\$92,922.75-	18,523	\$946,395.25-
12	\$514.25-	101	\$4,315.42-	508	\$21,954.68-
2	\$100.50	22	\$1,072.75	282	\$12,972.43
1	\$100.00	5	\$225.00	44	\$2,733.00
1	\$50.00	4	\$200.00	23	\$1,150.00
1	\$20.00	4	\$80.00	23	\$370.00
1	\$0.75-	12	\$9.33-	91	\$94.73-
0	\$0.00	6	\$400.00	52	\$2,950.00
0	\$0.00	1	\$0.00	6	\$250.00-
52	\$2,550.00-	219	\$9,270.25-	1,712	\$68,506.88-
0	\$0.00	53	\$2,200.00-	321	\$15,925.00-

TOTAL OUTSTANDING

\$1,012,007.96

AGING OF OUTSTANDING CASES  
FROM CITATION DATE

0 - 30 DAYS	192	\$9,700.00
31 - 60 DAYS	224	\$11,480.00
61 - 90 DAYS	352	\$18,121.00
91 - 120 DAYS	625	\$32,425.00
121 - 150 DAYS	529	\$28,120.00
151 - 180 DAYS	433	\$26,571.00
181 - 365 DAYS	1,329	\$90,905.50
OVER 1 YEAR UNCOLLECTABLE	0	\$0.00
OVER 1 YEAR PENDING	0	\$0.00
OVER 1 YEAR (OTHER)	12,213	\$794,710.46

AGING OF OUTSTANDING CASES  
FROM HEARING DATE

PRE HEARING	1,935	\$99,871.00
0 - 90 DAYS	1,647	\$82,400.00
91 - 180 DAYS	1,270	\$85,071.50
181 - 270 DAYS	1,342	\$91,561.00
271 - 365 DAYS	402	\$30,740.00
OVER 1 YEAR UNCOLLECTABLE	0	\$0.00
OVER 1 YEAR PENDING	0	\$0.00
OVER 1 YEAR (OTHER)	9,301	\$622,389.46



#13

**ENFORCEMENT CASE REPORT**

**NOVEMBER, 1994**

**ENFORCEMENT CASE REPORT NOVEMBER 1994**

**REGION I**

**TOTAL CASES-52**

**ENFORCEMENT-50**

**OTHER DIV. - 2**

- 1-Boating
- 3-Angling W/O A License
- 1-Take Or Sell Commercial Finfish Rules & Regulations
- 3-Hunting W/O Resident License
- 8-Hunting From Moving Vehicle And/Or Aircraft
- 1-Hunt From Public Road Or Road Right-Of-Way
- 1-Fail To Comply W/Hunter Safety Regulations
- 3-Hunt W/O Resident Big Game License
- 2-Hunt Deer Closed Area
- 5-Hunt Or Take Deer Illegal Hours
- 6-Hunt Or Take Deer From Public Road
- 2-Hunt Or Take Illegal Deer Open Season
- 1-Hunt Or Take Deer W/Illegal Weapon
- 1-Possess Over Limit Of Deer
- 2-Possession Of Illegally Taken Deer
- 3-Fail To Wear Hunters Orange
- 1-Hunt Turkey Closed Season
- 2-Not Abiding By Rules And Regs. On WMA
- 1-Criminal Damage Of State Property
- 2-Trespass Property After Forbidden
- 1-Operate ATV On Public Road
- 1-Driving Without Operators License
- 1-Discharge Firearm From Public Road

Page (2)

**REGION I CONT'D.**

**CONFISCATIONS:**

3 guns, 1 Ford Pickup, 4 doe deer.

**GRAND TOTAL OF EACH CATEGORY FOR REGION I:**

1-Boating

4-Fishing

39-Hunting

8-Misc.

Page (3)

**REGION 2**

**TOTAL CASES-69**

**ENFORCEMENT-69**

**OTHER - 0**

3-Boating

1-Angling W/O A License

1-Use Gear W/O Recreational Gear License

1-Hunting W/O Resident License

1-Hunting W/O Non-Resident License

5-Hunting From Moving Vehicle And/Or Aircraft

1-Hunt W/O Non-Resident Big Game License

19-Hunt Or Take Deer Illegal Hours

2-Hunt Or Take Illegal Deer Open Season

7-Fail To Wear Hunters Orange

14-Not Abiding By Rules And Regs. On WMA

4-Other Than Wildlife And Fisheries

3-Discharge Firearm From Public Road

**CONFISCATIONS:**

3 guns, 1 deer-button buck

**GRAND TOTAL OF EACH CATEGORY FOR REGION 2:**

3-Boating

43-Hunting

2-Fishing

21-Misc.

**REGION 3**

**TOTAL CASES-137**

**ENFORCEMENT-137**

**OTHER - 0**

7-Boating

4-Hunting W/O Resident License

2-Hunting W/O Non-Resident License

8-Hunting From Moving Vehicle And/Or Aircraft

3-Hunting W/Unplugged Gun Or Silencer

3-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

8-Hunt From Public Road Or Road Right-Of-Way

1-Hunt MGB W/O State Stamp

5-Hunt W/O Resident Big Game License

1-Hunt W/O Non-Resident Big Game License

10-Hunt Or Take Deer Illegal Hours

6-Hunt Deer Illegal Methods

4-Hunt Or Take Deer From Public Road

2-Hunt Or Take Deer W/Illegal Weapon

1-Possession Of Illegally Taken Deer

5-Fail To Wear Hunter's Orange

3-Hunting Ducks Or Geese W/O Federal Stamp

5-Hunting MGB Illegal Hours

1-Wanton Waste Of MGB

5-Using Lead Shot In Area Designated As Steel Shot Only

3-Possess Over Limit Of Ducks

1-Hunt MGB Without State Stamp

38-Not Abiding By Rules And Regs. On WMA

Page (5)

**REGION 3 CONT'D.**

1-Illegal Possession Of Drugs Or Marijuana

1-Littering

1-Other Than Wildlife And Fisheries

1-Possession Of Firearm By Convicted Felon

5-Discharge Firearm From Public Road

**CONFISCATIONS:**

15 guns, 3 deer, 22 ducks.

**GRAND TOTAL OF EACH CATEGORY FOR REGION 3:**

7-Boating

121-Hunting

9-Misc.

**REGION 4**

**TOTAL CASES-86**

**ENFORCEMENT-86**

**OTHER - 0**

- 1-Boating
- 2-Take Or Poss. Game Fish Illegally
- 2-Use Illegal Mesh Nets
- 3-Hunting W/O Resident License
- 4-Hunting From Moving Vehicle And/Or Aircraft
- 2-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours
- 6-Hunt W/O Resident Big Game License
- 1-Hunt Or Take Deer Closed Season
- 2-Hunt Or Take Deer Illegal Hours
- 2-Hunt Or Take Deer From Public Road
- 4-Hunt Or Take Illegal Deer Open Season
- 5-Fail To Wear Hunters Orange
- 1-Take/Possess Spotted Fawn
- 8-Hunt Raccoons/ Opossums Illegally
- 2-Take Over Limit Of Raccoons Or Opossums
- 3-Possession Of Live Alligators W/O Permit
- 3-Possess Over Limit Of Ducks
- 33-Not Abiding By Rules And Regs. On WMA
- 1-Simple Assault On An Officer
- 1-Discharge Firearm From Public Road

**CONFISCATIONS:**

11 guns, 1000 yards of webbing, 6 deer, 3 coons, 229 crappie, 3 bass, 11 ducks.

Page (7)

**REGION 4 CONT'D.**

**GRAND TOTAL OF EACH CATEGORY FOR REGION 4:**

**1-Boating**

**4-Fishing**

**41-Hunting**

**5-Federal**

**33-WMA**

**2-Other**



**REGION 5**

**TOTAL CASES-135**

**ENFORCEMENT-107**

**OTHER DIV. - 28**

**4-Boating**

**1-Angling W/O A License**

**1-Angling W/O A License Non-Resident**

**2-Take Or Poss. Undersized Black Drum**

**1-Take Or Poss. O/L Black Drum**

**3-Take Or Sell Commercial Fish Or Bait Species W/O Comm. License**

**3-Take Or Poss. Commercial Fish W/O Vessel License**

**2-Fail To Maintain Records**

**1-Use Crab Traps W/O Required Markings**

**1-Allow Another To Use Commercial License**

**1-Fail To Have Commercial Fish Intact**

**1-Permit Unlicensed Person To Operate Commercial Vessel**

**1-Permit Unlicensed Person To Use Commercial Gear**

**2-Take/Possess Undersized Black Drum**

**1-Possess Or Sell Undersized Crabs**

**1-Possession Of Untagged Oysters**

**6-Hunting W/O Resident License**

**1-Hunting W/O Non-Resident License**

**6-Hunting From Moving Vehicle And/Or Aircraft**

**1-Hunting W/Unplugged Gun Or Silencer**

**2-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours**

**5-Hunt From Public Road Or Road Right-Of-Way**

**5-Hunt Or Take Deer Illegal Hours**

**REGION 5 CONT'D.**

4-Hunt Or Take Deer From Public Road

2-Hunt Or Take Deer Illegally From A Boat

1-Fail To Wear Hunters Orange

7-Hunting Ducks Or Geese W/O Federal Stamp

7-Hunting MGB Illegal Hours

11-Using Lead Shot In Area Designated As Steel Shot Only

11-Possession Over Limit Of Ducks

34-Not Abiding By Rules And Regs. On WMA

1-Resisting An Officer

3-Littering

2-Other Than Wildlife And Fisheries

1-Poss. Of Firearm By Convicted Felon

**CONFISCATIONS:**

1 gun, 90 ducks, 1 goose, 1 button buck, 5 perch, 12 black drum, 5 pints of oysters, 86 crab traps, 5 king mackerel, 816 lbs. of shrimp sold for \$2,190.20.

**GRAND TOTAL OF EACH CATEGORY FOR REGION 5:**

4-Boating

57-Fishing

67-Hunting

7-Misc.

**REGION 6**

**TOTAL CASES-113**

**ENFORCEMENT-89**

**OTHER -24**

18-Boating

16-Angling W/O A License

2-Angling W/O A License Non-Resident

8-Take Illegal Size Black Bass

4-Take Or Poss. Undersized Red Drum

1-Not Abiding By Commission Rules And Regs.

1-Take Commercial Fish W/O Comm. Gear License

1-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License

2-Fail To Maintain Records

7-Hunting W/O Resident License

3-Hunting W/O Non-Resident License

2-Bow Hunt W/O Bow License

3-Hunting From Moving Vehicle And/Or Aircraft

3-Possess Over Limit Of Wild Quadrupeds Or Wild Birds

3-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

2-Hunt MGB W/O State Stamp

2-Hunt W/O Resident Big Game License

1-Not Abiding By Rules And Regs.

1-Hunting Ducks Or Geese W/O Federal Stamp

11-Hunting MGB Illegal Hours

3-Using Lead Shot In Area Designated As Steel Shot Only

1-Hunting Ducks Closed Season

5-Possess Over Limit Of Ducks

**REGION 6 CONT'D.**

2-Taking Ibis-No Season

7-Not Abiding By Rules And Regs. On WMA

4-Illegal Possession Of Drugs Or Marijuana

**CONFISCATIONS:**

55 black bass, 7 lbs. of red snapper, 26 woodducks, 1 ibis, 1 doe deer, 19 DMAP doe tags, 7 raccoons.

**GRAND TOTAL OF EACH CATEGORY FOR REGION 6:**

18-Boating

56-Hunting

35-Fishing

4-Misc.

**REGION 7**

**TOTAL CASES-139**

**ENFORCEMENT-115**

**OTHER DIV. - 24**

5-Boating

6-Angling W/O A License

10-Hunting W/O Resident License

3-Hunting W/O Non-Resident License

21-Hunting From Moving Vehicle And/Or Aircraft

2-Hunting W/Unplugged Gun Or Silencer

14-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours

25-Hunt From Public Road Or Road Right-Of-Way

2-Poss. Of Buckshot During Closed Deer Season

6-Hunt W/O Resident Big Game License

3-Hunt W/O Non-Resident Big Game License

5-Hunt Or Take Deer Illegal Hours

3-Hunt Or Take Deer From Public Road

2-Possession Of Illegally Taken Deer

5-Fail To Wear Hunters Orange

1-Hunting With Unsigned Duck Stamp

1-Hunting MGB Illegal Hours

1-Hunt MGB Without State Stamp

1-Not Abiding By Rules And Regs. On WMA

1-Criminal Trespass

1-Illegal Spotlighting From Public Road

2-Illegal Bear Wrestling

12-Other Than Wildlife And Fisheries

**REGION 7 CONT'D.**

**3-Trespass On Property After Forbidden**

**1-Flight From An Officer**

**1-Driving Without Operators License**

**1-Reckless Operation Of A Vehicle**

**1-Discharge Firearm From Public Road**

**CONFISCATIONS:**

**2 doe deer, 2 rabbits, 2 ducks, 17 guns.**

**GRAND TOTAL OF EACH CATEGORY FOR REGION 7:**

**5-Boating**

**6-Fishing**

**104-Hunting**

**24-Other**

**REGION 8**

**TOTAL CASES-166**

**ENFORCEMENT-144**

**OTHER - 22**

**21-Boating**

**9-Angling W/O A License**

**9-Angling W/O A License Non-Resident**

**3-Angling W/O A Saltwater License**

**4-Poss. O/L Of Red Drum**

**8-Take Or Poss. Undersized Red Drum**

**2-Take/Poss. Undersized Spotted Sea Trout**

**3-Take Or Poss. Undersized Black Drum**

**2-Poss. O/L Of Spotted Sea Trout**

**1-Not Abiding By Commission Rules and Regs.**

**4-Take Or Sell Commercial Fish Or Bait Species W/O Comm. License**

**5-Take Commercial Fish W/O Comm. Gear License**

**5-Take Or Poss. Commercial Fish W/O Vessel License**

**1-Sell And/Or Buy Fish W/O Wholesale/Retail Dealer's License**

**1-Fail To Maintain Records**

**4-Leave Nets Unattended**

**1-Fail To Comply W/Gamefish Shipping Regulations**

**2-Use Crab Traps W/O Required Markings**

**2-Allow Another To Use Commercial License**

**1-Fail To Have Commercial Fish Intact**

**2-Permit Unlicensed Person To Use Commercial Gear**

**3-Permit Unlicensed Person To Operate Commercial Vessel**

**REGION 8 CONT'D.**

- 3-Use Illegal Length Gill Nets-Saltwater**
- 4-Failure To Mark/Tag Nets**
- 1-Commercial Truck W/O Display Of Owner Name & Address**
- 6-Violation Of Mullet Regulations**
- 1-Use Illegal Mesh Trawl, Butterfly Nets, Seines Or Skimmers**
- 1-Trawl In Restricted Areas**
- 2-Unlawfully Take Oysters From State Water Bottoms**
- 1-Illegal Fishing Breton & Chandeleur Islands**
- 4-Trawl In Closed Area Lake Catherine & Lake Ponchartrain**
- 1-Resisting An Officer**
- 1-Criminal Trespass**
- 1-Operating Vehicle While Intoxicated**
- 1-Other Than Wildlife And Fisheries**
- 1-License Fraud**
- 1-Reckless Operation Of A Vehicle**
- 1-Violation Sanitary Code-Chapter 9**
- 7-Trespass On Federal Delta Refuge**
- 1-Hunting W/O Resident License**
- 2-Possess Wild Birds Or Wild Quadrupeds W/O A License**
- 2-Failure To Abide By Commission Rules**
- 1-Hunting W/Unplugged Gun Or Silencer**
- 1-Hunt Or Discharge Firearm From Levee Road**
- 1-Hunting W/O Resident License**
- 2-Possess Wild Birds Or Wild Quadrupeds W/O A License**
- 2-Failure To Abide By Commission Rules**



**REGION 8 CONT'D.**

**2-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours**

**1-Hunt Or Discharge Firearm From Levee Road**

**13-Not Abiding By Rules And Regs. On WMA**

**1-Hunting MGB With Unplugged Gun**

**4-Hunting MGB Over Baited Area**

**3-Hunting MGB From Moving Motorboat**

**1-Possess Over Limit Of Ducks**

**1-Taking Herons-No Season**

**1-Hunting W/Unplugged Gun Or Silencer**

**CONFISCATIONS:**

37 pounds of shrimp sold for \$129.50, 164 pounds of garfish sold for \$131.00, 14,278 pounds of mullet sold for \$10,660.45,( 382 pounds of red drum and 100 pounds of black drum, and 111 pounds of flounder, and 86 pounds of sheephead and 1 whole bull drum all sold for \$901.25), 1 heron, 4 ducks, 1 coot, 1 rabbit, 20 gill net equalling 9,468 feet.

**GRAND TOTAL OF EACH CATEGORY FOR REGION 8:**

**22-Boating**

**40-Fishing**

**58-Commercial Fishing**

**9-Hunting**

**13-MGB**

**14-Misc.**

**13-WMA**

**REGION 9**

**TOTAL CASES-169**

**ENFORCEMENT-133**

**OTHER - 36**

**31-Boating**

**8-Angling W/O A License**

**4-Taking/Poss. Over Limit Or Undersized Freshwater Gamefish**

**1-Take Illegal Size Black Bass**

**9-Not Abiding By Commission Rules And Regs.**

**2-Take Or Poss. Commercial Fish W/O Vessel Lic.**

**3-Take/Poss. Undersize Cml. Finfish**

**6-Hunting W/O Resident License**

**6-Hunting From Moving Vehicle And/Or Aircraft**

**1-Hunting W/Unplugged Gun Or Silencer**

**13-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours**

**4-Hunt From Public Road Or Road Right-Of-Way**

**1-Hunt MGB W/O State Stamp**

**4-Hunt Deer Closed Area**

**3-Hunt Or Take Deer Illegal Hours**

**2-Hunt Or Take Deer From Public Road**

**4-Not Abiding By Rules And Regs. On WMA**

**2-Hunting Ducks Or Geese W/O Federal Stamp**

**1-Hunting With Unsigned Duck Stamp**

**2-Hunting MGB With Unplugged Gun**

**8-Hunting MGB Illegal Hours**

**2-Hunting MGB Over Baited Area**

**10-Hunting MGB From Moving Motorboat**

**REGION 9 CONT'D.**

**4-Transport Completely Dressed MGB**

**8-Using Lead Shot In Area Designated As Steel Shot Only**

**7-Hunting Coots Closed Season**

**4-Possess Over Limit Of Coots**

**3-Possess Over Limit Of Doves**

**1-Hunt MGB Without State Stamp**

**1-DWI**

**2-Discharge Firearms Public Road**

**4-Illegal Spotlighting Public Road**

**CONFISCATIONS:**

129 coots, 43 gallinules, 26 ducks, 12 rabbits, 2 red drum, 2 black bass, 5 grebe, 234 catfish, 61 crappie,  
914 lbs. of red snapper sold for \$1,828.00, 33 lbs. of grouper sold for \$57.00, 1 gun, 1 driver's license

**GRAND TOTAL OF EACH CATEGORY FOR REGION 9:**

**31-Boating**

**28-Fishing**

**31-Hunting**

**12-Deer**

**4-WMA**

**SPECIAL STRIKE FORCE**

**TOTAL CASES-55**

**5-Boating**

**1-Take Commercial Fish W/O Comm. Gear License**

**4-Take Or Poss. Commercial Fish W/O Vessel License**

**2-Use Crab Traps W/O Required Markings**

**1-Permit Unlicensed Person To Operate Commercial Vessel**

**1-Use Illegal Length Gill Nets**

**3-Hunting W/O Resident Lic.**

**3-Hunting From Moving Vehicle And/Or Aircraft**

**1-Hunt Wild Quadrupeds And/Or Wild Birds Illegal Hours**

**1-Hunt From Public Road Or Road Right-Of-Way**

**2-Hunt Deer Closed Area**

**8-Running Deer Dogs During Still Hunt Season**

**1-Hunt Or Take Deer Illegal Hours**

**2-Take Over Limit Of Raccoons Or Opossums**

**5-Hunting MGB Illegal Hours**

**8-Possess Over Limit Of Ducks**

**1-Operating Vehicle While Intoxicated**

**1-Criminal Damage Of State Property**

**3-Criminal Trespass On Crawfish Ponds**

**1-Driving Without Operators License**

**1-Violate Mullet Regulations**

Page (20)

**SPECIAL STRIKE FORCE CONT'D.**

**CONFISCATIONS:**

55 ducks, 3 raccoons, 3 guns, 184 crab traps, 1-24 foot boat, 1 commercial license, 1 vessel license, 1,600 feet of gill net.

Page (21)

**S.W.E.P.**

**BOATING HOURS-138**

**BOAT CHECKED - 87**

**TOTAL CASES-18**

1-No Commercial Fishing License

1-Allow Another To Use Commercial License

1-Permit Another Person To Use Commercial Gear W/O License

1-Permit Another To Operate Commercial Vessel

1-Fail To Display Numbers On Vessel

9-Angling W/O A License

1-No Commercial Vessel License

1-Fail To Comply P.F.D.Requirements

1-No Fire Extinguisher

1-Violate Mullet Regulations

1-Shrimping In Prohibited Area

**CONFISCATIONS:**

2-25 foot trawls, 2 16X12 Wing Nets, 1-900 foot gill net, 70 lbs. of shrimp sold for \$42.00.

**OYSTER STRIKE FORCE**

**TOTAL CASES- 64**

- 1-Angling Without A Basic License
- 2-Angle Without Non-Resident Basic License
- 3-Poss. Undersize Red Drum
- 1-Poss. Undersize Black Drum
- 1-Poss. Red Snapper Closed Season
- 1-Operate Comm. Vessel Without Commercial License
- 1-Operate Comm. Vessel Without Vessel License
- 2-Operate Without Non-Res. Wholesale/Retail License
- 6-Fail To Maintain Records
- 3-Leave Nets Unattended
- 1-Fail To Keep Fish Intact
- 3-Leave Nets Unattended
- 1-Possession Untagged Net
- 2-Poss. Undersize Black Drum
- 1-Take Undersize Crabs
- 2-No Written Permission
- 1-Take Oysters Off Unleased State Water Bottoms
- 6-Take Oysters From Unapproved Area
- 5-Take Oysters Off Private Lease
- 5-Take Oysters Illegal Hours
- 1-Fail To Hold Tags For 60 Days
- 2-Poss. Untagged Containerized Oysters
- 2-Hunt Deer Illegal Hours

**OYSTER STRIKE FORCE CONT'D.**

**2-Hunt Deer From Moving Boat**

**1-Resisting Officer By Flight**

**1-Other Than Wildlife and Fisheries**

**1-Reckless Operation Of Motor Vehicle**

**6-Violation Of Sanitation Code-Chapter 9**

**CONFISCATIONS:**

**7 boxes of crabs, 2 king mackerel, 4 black drum, 5 pts. of oysters, 30 fillets of red snapper, 43 sacks of oysters, 14 red drum, 1 gun, \$2,148.00 for shrimp sale, 22 coots.**



Page (24)

TOTAL CASES ENFORCEMENT-930

TOTAL CASES OTHER DIV. - 136

TOTAL CASES S.W.E.P. - 18

TOTAL CASES SSFORCE - 55

TOTAL CASES OSFORCE - 56

GRAND TOTAL -1066

# APRIL 1995

Photo by Allen Riley, Jr.  
Chicot Lake, Evangeline Parish

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
<b>MARCH 1995</b> S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	<b>MAY 1995</b> S M T W T F S 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31					<b>April Fool's Day</b> Striped bass artificial spawning begins at Toledo Bend Hatchery. Frog season closes.
Daylight Saving Time begins.	Louisiana state wild flower, the giant blue iris, blossoms in southern marshes.		Rare Swallow-tailed Kites return to the Pearl River basin to nest.	Deerberries ripen this month.	Start weed control measures in farm ponds.	First quarter moon Peak ingress of brown shrimp post larvae into Calcasieu Lake.
2	3	4	5	6	7	8
Palm Sunday	Collect mayhaw fruit for jams and jellies.	Osprey begin nesting on edges of swamps in south Louisiana.	Lady slipper orchid, very rare in this state, flowers in mature hardwood forests of central and north Louisiana.	Early Mottled Duck broods appear.	Good Friday	Passover Full moon Diamondback terrapin season closes.
9	10	11	12	13	14	15
Easter	Most Wild Turkey hens on nest. Second peak of gobbling activity occurs.	Purple Gallinules arrive from south and central America to begin nesting.	Alligator snapping turtles begin laying eggs. Commercial menhaden season opens.	Peak crappie spawn at Toledo Bend.	Last quarter moon A life jacket is your friend for life. It won't work if you don't wear it.	
16	17	18	19	20	21	22
23/30	Dove fields using sunflowers should be planted within next 2 weeks.	Purple flowers of rare hairy lupine may be seen in sandy uplands of the eastern Florida Parishes.			Renewals sent to recreational gear license holders.	New moon
Last day for commercial spotted seatrout fishing (30). Commercial hunting preserve season closes (30).	24	25	26	27	28	29

# Louisiana Department of Wildlife and Fisheries

## NEWS RELEASE

Joe L. Herring  
Secretary



CONTACT  
(504) 765-2923

94-273B

11/29/94

### DECEMBER WILDLIFE & FISHERIES COMMISSION AGENDA AMENDED

The Louisiana Wildlife and Fisheries Commission has revised the agenda for its next regular meeting, scheduled for Thursday, Dec. 1, 1994, at 10 a.m. at Department of Wildlife and Fisheries headquarters, 2000 Quail Drive, Baton Rouge.

The meeting is open to the public. The revised agenda is as follows.

1. Roll call.
2. Approval of Nov. 3 minutes.
3. Presentation of a plaque from the Fur Resources Committee SEAFWA to Greg Linscombe.
4. Aircraft report.
5. Public comments and Resolution: Wildlife Management Area Timber Management Plan.
6. Catfish Task Force: structure review and approval.
7. Notice of Intent: extend period of 14-inch minimum size limit on black bass in Eagle Lake.
8. Consideration and possible Declaration of Emergency to extend the 1994 Fall Inshore Shrimp Season.
9. Report on the Lyle St. Amant Lab (Grand Terre) and its activities.
10. Des Allemands catfish: ratification of rescission of October Declaration of Emergency; Declaration of Emergency .
11. Update on moratorium.
12. Civil restitution and class 1 update.
13. Enforcement report.
14. Secretary's report to the Commission.
15. Election of chairman and vice-chairman.
16. Set April 1995 meeting date.
17. Public comments.

November 29, 1994

NEWS RELEASE

APPROVED: 

AMENDED AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Commission will be held at 10:00 A.M. on Thursday, December 1, 1994, in the Louisiana Room, Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, LA.

1. Roll Call
2. Approval of Minutes of November 3, 1994
3. Presentation of Plaque from Fur Resources Committee SEAFWA to Greg Linscombe
4. Aircraft Report
5. Receive Public Comments and Resolution - WMA Timber Management Plan
6. Catfish Task Force - Structure Review and Approval
7. Notice of Intent - Eagle Lake, Extend Period of 14" Minimum Size Limit on Black Bass
8. Consideration and Possible Declaration of Emergency to Extend 1994 Fall Inshore Shrimp Season
9. Report on Grand Terre and Its Activities
10. Des Allemands Catfish - Ratification of Recision of October Declaration of Emergency; Declaration of Emergency
11. Update on Moratorium
12. Civil Restitution/Class 1 Update
13. Enforcement Report
14. Secretary's Report to the Commission
15. Election of Chairman and Vice-Chairman
16. Set April 1995 Meeting Date
17. Public Comments
18. Adjourn

# Louisiana Department of Wildlife and Fisheries

## NEWS RELEASE

Joe L. Herring  
Secretary



CONTACT  
(504) 765-2923

94-273A

11/28/94

### DECEMBER WILDLIFE & FISHERIES COMMISSION MEETING AMENDED

The Louisiana Wildlife and Fisheries Commission will conduct its next regular meeting on Thursday, Dec. 1, 1994, at 10 a.m. at Department of Wildlife and Fisheries headquarters, 2000 Quail Drive, Baton Rouge.

The meeting is open to the public. The agenda is as follows.

1. Roll call.
2. Approval of Nov. 3 minutes.
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12. Civil restitution and class 1 update.
13. Enforcement report.
14. Secretary's report to the Commission.
15. Election of chairman and vice-chairman.
16. Set April 1995 meeting date.
17. Public comments.

November 28, 1994

NEWS RELEASE

APPROVED: 

AMENDED AGENDA FOR COMMISSION MEETING

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12. Civil Restitution/Class 1 Update
13. Enforcement Report
14. Secretary's Report to the Commission
15. Election of Chairman and Vice-Chairman
16. Set April 1995 Meeting Date
17. Public Comments
18. Adjourn

# Louisiana Department of Wildlife and Fisheries

## NEWS RELEASE

Joe L. Herring  
Secretary



CONTACT  
(504) 765-2923

94-273

11/23/94

### DECEMBER WILDLIFE & FISHERIES COMMISSION MEETING ANNOUNCED

The Louisiana Wildlife and Fisheries Commission will conduct its next regular meeting on Thursday, Dec. 1, 1994, at 10 a.m. at Department of Wildlife and Fisheries headquarters, 2000 Quail Drive, Baton Rouge.

The meeting is open to the public. The agenda is as follows.

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11. Civil restitution and class 1 update.
12. Enforcement report.
13. Secretary's report to the Commission.
14. Election of chairman and vice-chairman.
15. Set April 1995 meeting date.
16. Public comments.

November 21, 1994

NEWS RELEASE

APPROVED: 

AGENDA FOR COMMISSION MEETING

The next regular public board meeting as set by the Commission will be held at 10:00 A.M. on Thursday, December 1, 1994, in the Louisiana Room, Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, LA.

1. Roll Call
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9. Report on Grand Terre and Its Activities
10. Update on Moratorium - Don Puckett
11. Civil Restitution/Class 1 Update - Wynnette Kees
12. Enforcement Report - Winton Vidrine
13. Secretary's Report to the Commission - Joe Herring
14. Election of Chairman and Vice-Chairman
15. Set April 1995 Meeting Date
16. Public Comments
17. Adjourn



# State of Louisiana



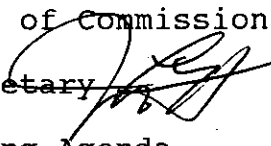
Joe L. Herring  
Secretary

Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Edwin W. Edwards  
Governor

November 21, 1994

## MEMORANDUM

TO: Chairman and Members of Commission  
FROM: Joe L. Herring, Secretary   
RE: December Board Meeting Agenda

The next regular public board meeting as set by the Commission will be held at 10:00 A.M. on Thursday, December 1, 1994, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, LA.

The following will be on the agenda:

1. Approval of Minutes of November 3, 1994

## JOE HERRING

2. Presentation of Plaque from Fur Resources Committee SEAFWA to Greg Linscombe

## LEE CAUBARREAU

3. Aircraft Report
4. Receive Public Comments and Resolution - WMA Timber Management Plan

## CORKY PERRET

5. Catfish Task Force - Structure Review and Approval
6. Notice of Intent - Eagle Lake, Extend Period of 14" Minimum Size Limit on Black Bass
7. Consideration and Possible Declaration of Emergency to Extend 1994 Fall Inshore Shrimp Season

Page 2  
Commission Meeting  
November 21, 1994

8. Report on Grand Terre and Its Activities

DON PUCKETT

9. Update on Moratorium

WYNNETTE KEES

10. Civil Restitution/Class 1 Update

WINTON VIDRINE

11. Enforcement Report

JOE HERRING

12. Secretary's Report to the Commission

13. Election of Chairman and Vice-Chairman

14. Set April 1995 Meeting Date

15. Public Comments

JLH:sch

C: Clyde Kimball  
Fred Prejean  
Lee Caubarreux  
Corky Perret  
Don Puckett  
John Medica  
Division Chiefs

## FAX TRANSMITTAL

TO: Jeff Schneider  
Chairman

FAX# \_\_\_\_\_

FROM Susan Hawkins

RE: December Commission Agenda

Please review the attached agenda for the December 1st Commission Meeting. Let me know if any changes need to be made. Thank you and Happy Thanksgiving.

The fourth page of the fax lists items Commissioner Mialjevich requested on the agenda. The Catfish Task Force will be addressed, but I did not know if the others should be listed.

DATE: November 18, 1994

TIME SENT \_\_\_\_\_

FOR INFORMATION CALL (504) 765- 2806

OUR FAX # (504) 765-2607

PAGES TO FOLLOW 3

MEMORANDUM

TO: Chairman and Members of Commission  
FROM: Joe L. Herring, Secretary  
RE: December Board Meeting Agenda

The next regular public board meeting as set by the Commission will be held at 10:00 A.M. on Thursday, December 1, 1994, in the Louisiana Room at the Wildlife and Fisheries Building, 2000 Quail Drive, Baton Rouge, LA.

The following will be on the agenda:

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2. Presentation of Plaque from Fur Resources Committee SEAFWA to Greg Linscombe

LEE CAUBARREAU

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4. Receive Public Comments and Resolution - WMA Timber Management Plan

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Page 2  
Commission Meeting

WYNNETTE KEES

8. Civil Restitution/Class 1 Update

WINTON VIDRINE

9. Enforcement Report

JOE HERRING

10. Secretary's Report to the Commission
11. Election of Chairman and Vice-Chairman
12. Set April 1995 Meeting Date
13. Public Comments

JLH:sch

C: Clyde Kimball  
Fred Prejean  
Lee Caubarreaux  
Corky Perret  
Don Puckett  
John Medica  
Division Chiefs

# State of Louisiana



Joe L. Herring  
Secretary


Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Edwin W. Edwards  
Governor

November 3, 1994

## MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-  
Office of Wildlife, and Assistant Secretary-Office of  
Fisheries

FROM: Joe L. Herring, Secretary 

SUBJECT: Commission Meeting Agenda - December 1, 1994

Please write on the bottom of this memo and return to Susan Hawkins by Thursday, November 17th any agenda items your office may have for the Thursday, December 1st Commission Meeting to be held in Baton Rouge, Louisiana, at the Wildlife and Fisheries Building, 2000 Quail Drive. This meeting will begin at 10:00 a.m. on December 1st. If you do not have anything for the agenda, please return memo and indicate so on the bottom of this memo. We cannot add anything to the agenda that requires commission action after we have published the agenda in the state journal.

Resolutions and Notices of Intent should be included with the list of items to be placed on the agenda. Thank you for your cooperation!

JLH/sch

cc: Commissioners  
Don Puckett  
Bob Dennie  
Winton Vidrine  
Hugh Bateman ✓  
Johnnie Tarver  
Bennie Fontenot  
John Roussel  
Wynnette Kees  
Karl Turner

① Resolution/Receive Public Comment - WMA  
Timber Management Plan

# State of Louisiana



Joe L. Herring  
Secretary


Department of Wildlife and Fisheries  
Post Office Box 98000  
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Edwin W. Edwards  
Governor

November 3, 1994

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### INLAND FISHERIES

JLH/sch

### ITEMS FOR DECEMBER AGENDA

cc: Commissioners  
Don Puckett  
Bob Dennie  
Winton Vidrine  
Hugh Bateman  
Johnnie Tarver  
Bennie Fontenot ✓  
John Roussel  
Wynnette Kees  
Karl Turner

1. CATFISH TASK FORCE - Structure  
Review and Approval
2. NOTICE OF INTENT - Eagle Lake,  
Extend period of 14" minimum size  
limit on black bass

  
BENNIE J. FONTENOT, JR.

# State of Louisiana



Joe L. Herring  
Secretary


Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

Edwin W. Edwards  
Governor

November 3, 1994

## MEMORANDUM

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Johnnie Tarver  
Bennie Fontenot  
John Roussel  
Wynnette Kees ✓  
Karl Turner

*Civil restitution update  
W. Kees*



*Al - I told  
Susan I didn't  
have anything for  
this (Dec) meeting -  
do you? If not  
send it on w/a no  
links*

ate of Louisiana



Department of Wildlife and Fisheries  
Post Office Box 98000  
Baton Rouge, LA 70898-9000  
(504) 765-2800

REC'D

NOV 04 1994

INFORMATION &  
EDUCATION DIV.  
ADM.

Edwin W. Edwards  
Governor

November 3, 1994

MEMORANDUM

TO: Deputy Secretary, Undersecretary, Assistant Secretary-  
Office of Wildlife, and Assistant Secretary-Office of  
Fisheries

FROM: Joe L. Herring, Secretary *[Signature]*

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John Roussel  
Wynnette Kees  
Karl Turner

*[Signature]*  
11/17/94  
None  
Thank you

# State of Louisiana



Joe L. Herring  
Secretary

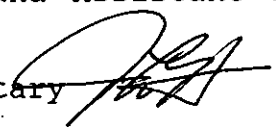
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November 3, 1994

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